

The Goa State Information Commission

Complaint No. 13

1. Nakul Naik Complainant

V/s

Astt. Registrar of Co-operative Opponent
Societies, Central Zone,
Panaji – Goa.

CORAM : A. Venkataratnam., SCIC
G.G.Kambli, SIC

(Per G.G. Kambli)

Dated : 21/07/2006.

O R D E R

This disposes off the complaint dated 21/6/06 filed by the above named Complainant. The case of the Complainant is that the Complainant filed a dispute before the Asst. Registrar of Co-operative Societies, Central Zone, Panaji which is pending disposal. In the said proceedings, Complainant was not furnished a copy of reply filed by the Administrator on 20/4/06 although according to the Complainant, the Complainant is bound to that copy under the Civil Procedure Code.

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2. The Complainant states that since the Complainant was not given the copy of the reply filed by the Administrator, the Complainant applied for certified copy of the same under the Right to Information Act, 2005 (hereinafter referred as the said Act) vide application dated 3/5/06. The Complainant submits that the Complainant has not been provided with any information nor he was given any intimation despite the repeated visits. The Complainant therefore filed the present complaint and prayed that necessary action be taken against the Asst. Registrar of Co-operative Societies, Shri P. M. Naik.

3. Shri A. G. Damle, the Learned Advocate for the Complainant could not cite the provisions of the Act under which the Commission can take action against the Asst. Registrar of Co-operative Societies who is deciding the matter in a quasi-judicial capacity. Further, the attention of Shri Damle was also invited to the provisions of sub-section (2) of Section 7 of the Act under which the request of the Complainant deemed to have been refused since the Complainant did not receive any communication from the Asst. Registrar. The Complainant has also not specified whether the Asst. Registrar of Co-operative Societies is a Public Information Officer designated under the Act. Assuming that the Asst. Registrar of Co-operative Societies is the Public Information Officer, in such a case, the remedy is available under Section 19 of the Act to prefer the 1st Appeal before the First Appellate authority. The Complainant has addressed his application dated 3/5/06 to the Asst. Registrar of Co-operative Societies, therefore, it is not clear whether the Asst. Registrar of

Co-operative Societies is designated as a Public Information Officer or Asst. Public Information Officer or First Appellate authority.

Hence, the complaint dated 21/6/06 of the Complainant is rejected.

(G.G. Kambli)
State Information Commissioner, GOA.

(A.Venkataratnam)
State Chief Information Commissioner,
GOA.

21/07/2006.