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GOA STATE INFORMATION COMMISSION

‘Kamat Towers’, Seventh Floor, Patto, Panaji – Goa

CORAM: Shri Juino De Souza State Information Commissioner.

Appeal No. 141/SIC/2011 / 1617

Shri R. P. Haldankar,
R/p H. No.743, Shantinagar,
Soccore, Porvorim,
Bardez – Goa.

..... Appellant

v/s

Public Information Officer,
Mamlatdar,
O.o Mamlatdar ,
Bicholim- Goa.

2. First Appellate Authority,
Dy. Collector & SDO,
Bicholim Sub Division,
Bicholim – Goa.

..... Respondents

Relevant emerging dates:

Date of Hearing : 05-05-2016

Date of Decision : 05-05-2016

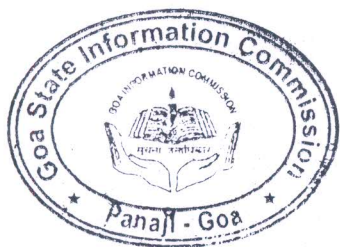
O R D E R

1. Brief facts of the case are that the Appellant vide his application dtd. 11/1/2011 sought certain information from Respondent PIO. The information pertains to tenancy and mutation cases. The two cases are with regard to tenancy case no. TN-8/2009 and mutation case no. 15509/pale/2010 . The PIO vide his reply dtd. 18/1/2011 requested the Appellant to submit the names of the parties in the proceedings of tenancy case no...8/2009 and the name of the court where the same has been running.
2. The Appellant thereafter further submitted a reply dated 29/1/2011 giving the name of the court where the tenancy case is appearing (Court of Mamlatdar taluka, Bicholim). In the meanwhile the PIO sent a letter dated 3/2/2011 to Deputy collector & SDO, Bicholim where the tenancy matter is being heard.

3. During the hearing the Appellant is absent despite advance notice sent by Registered Post (RPAD) without any intimation to the commission. He was also contacted telephonically on his contact mobile number however there is no response. The Respondent PIO represented by Smt. Mitzi R. Gomes, UDC and the FAA Mr. Mahadev Araundekar, Dy. Collector & SDO (Bicholim) are both present in person.
4. The Respondent PIO submits that all information has sought for by the appellant has been furnished on 3/1/2012. The respondent PIO further submits that as per records in the file there has been numerous exchange of correspondence between the Appellant and PIO. The Appellant does not seem to be interested in collecting the information and has even refused to take inspection of the files which is clear as per his letter dtd. 26/2/2011. The Respondent furnishes a written statement confirming the facts which is taken on record.
5. The FAA in his submission stated that the Appellant has continuously remained absent for four successive hearings on 11-04-11, 26-04-11, 02-06-11 and 06-07-2011 before the FAA and that the appellant has received all the information and has also acknowledged the same by his endorsement. The FAA further submits that as the Appella it did not show any interest in pursuing his First Appeal and kept remaining absent there was no alternative but to dismiss the First Appeal as information was furnished. The FAA submits a written declaration confirming the facts which is taken on record.
6. On scrutiny of the file there is on record a letter from Mamlatdar addressed to Appellant dated 11/2/2011 asking to inspect the records. Also on record is copy of the letter of the Appellant dated 26/02/2011 stating that he does not want to take inspection. Records also show several such exchange of correspondence between the Appellant and PIO of the Public Authority is also on record.

7. The Commission observes that indeed the information as sought for by the Appellant in his application was furnished by the PIO vide his letter dated 11-03-2011 and the appellant has also acknowledged as having received by his endorsement dated on the copy of the letter on 03-01-2012.
8. Further from the submissions advanced made by both the Respondents and the fact that the Appellant has continuously remained absent before the FAA and is also absent at today's hearing before the Commission despite have received notice clearly shows that he the Appellant is not interested in pursuing his case in view of having received the information.
9. The Commission in view that the Appellant has received the information comes to the conclusion that nothing survives in the appeal case which is closed. All proceedings in the appeal case also stand closed.

Pronounced in open court before the parties who are present at the conclusion of the hearing. Notify the parties concerned. Authenticated copies of Order be given to the parties free of cost.



Sel-
(Juino De Souza)

State Information Commissioner