

**GOA STATE INFORMATION COMMISSION**  
'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

**CORAM: Shri Juino De Souza: State Information Commissioner**

**Complaint No:115/SIC/2012** 1715

Shri J. T. Shetye,  
C/o Mapusa Jana Jagruti Samiti,  
H. No.35, Ward no. 11,  
Khorlim, Mapusa – Goa.

..... **Complainant**

**v/s**

1. Public Information Officer,  
Mamlatdar,  
O/o. Mamlatdar of Bicholim,  
Bicholim – Goa.
2. The First Appellate Authority,  
The Dy. Collector & SDO,  
Bicholim Sub Station,  
Bicholim – Goa.

..... **Respondents**

**Relevant emerging dates:**

Date of Hearing : 24-08-2016

Date of Decision : 24-08-2016

**ORDER**

1. Brief facts of the Case are that the Appellant had vide an application dated 14/02/2012 sought certain information on 12 different points from the Respondent PIO, Mamlatdar of Bicholim Taluka, including illegal construction of house in the in the property surveyed under survey No. 486/1 of Village Panchayat Latambarcem, Bicholim by Shri. Rajendra Datta Kalangutkar addressed to the B.D.O Bicholim.
2. The Respondent PIO vide reply no. MAM/BICH/RIA/964/2012 dated 13/03/2012 informed the Complainant that the information is ready and collect the same and it appears the Complainant did not collect the same, but instead filed a First Appeal before the First Appellate Authority (FAA) on 26/03/2012 and the FAA vide his order dated 03/05/2012 directed the PIO to furnish the information to the Appellant today itself and being aggrieved the Complainant has filed a Complaint with the commission on 25/07/2012 praying that PIO be punished and information should be provided without any charges.

3. During the hearing the Complainant Shri J.T. Shetye is absent despite advance notice issued by RPAD without intimation to this Commission. He was contacted by the registry on the telephone but has stated he is unable to attend case and is requesting for Adjournment.
4. The Respondent PIO is represented by Smt. Sarita Morajkar, Head Clerk O/o Mamlatdar Bicholim and the FAA Shri Mahadev Arondekar. Dy. Collector & SDO Bicholim both are present in person. These government servants have come for the hearing all the way from Bicholim and by unnecessary adjournments their time and government money cannot be wasted and hence the Commission continues with hearing of the matter.
5. The Respondent PIO submits that the earlier PIO had sent a letter no. MAM/BICH/RIA/964/2012 dated 13/03/2012 informing the Complainant that the information is ready and collect the same and that the Complainant did not collect the same. It is further submitted that pursuant to the direction of the FAA all information was provided to the Complainant on the 03/05/2012 itself and which has been received and that therefore nothing survives in the Complaint case which should be closed.
6. The Commission on scrutiny of the file observes that indeed information has been supplied. There is on record various information documents which clearly show that information has been provided to the Complainant viz copies of Letter no MAM/BICH/RIA/964/2012 dated 13/03/2012 giving information on all 12 different points along with enclosures such as letter dated 24/01/2012 informing about illegal construction, Talathi report, copy of plan certified by Talathi of latambarcem, form I & XIV, ANOTHER REPOT OF Talathi dated 28/10/2011 with plan, Letter No AM/BICH/CI(1)/iii-Const/465/2011 2126 dated 25/08/2011 and copy of Memorandum 07/10/2011.

7. Further the PIO cannot be faulted in anyway as he had well within the prescribed time frame informed the Complainant to come and collect the information which was kept ready and which the Complainant has neglected for reasons best known to him.
8. That apart during the hearings before the FAA also the PIO had shown his willingness to supply the information to the Complainant herein who was the Appellant therein and pursuant to the directions of the FAA the information was supplied on the 03.05/2012 itself which is the same date of passing of order by the FAA.
9. **The complaint case stands closed in view that information has been furnished.**

All proceedings in complaint case also stand closed. Pronounced before the parties who are present at the conclusion of the hearing. Notify the parties concerned. Authenticated copies of the order be given free of cost.



**(Juino De Souza)**  
**State Information Commissioner**