

# GOA STATE INFORMATION COMMISSION

'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

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**Appeal No. 40/SIC/2017**

Shri Jawaharlal T. Shetye  
H.No. 35/A Ward No. 11,  
Near Sateri Temple,  
Khorlim Mapusa Goa.

..... Appellant

## **V/s.**

1. Public Information Officer  
The Dy. Collector (Revenue),  
Collectorate Building,  
Panaji Goa..

2. First Appellate Authority  
Additional Collector –I(North)  
Collectorate Building ,  
Panaji Goa.

..... Respondents

## **CORAM:**

**Smt. Pratima K. Vernekar**, State Information Commissioner

**Filed on: 14/04/2017**

**Decided on: 27/06/2017**

## **ORDER**

1. Brief facts of the case are as under:-

The appellant, Shri J.T Shetye by his application dated 14/10/2016 sought certain information at point 1 to 4 from the PIO Dy. Collector (Revenue), North Collectorate Building, Panajim Goa .

2. The said was responded by the PIO on 26/10/16 thereby calling upon the appellant to collect the information on payment of necessary fees .

3. It is the case of the appellant that in pursuant to the said letter he visited the office of Respondent PIO and deposited the amount of Rs. 170/- as required fees of the said information on 9/11/16 and accordingly the information was furnished to him 11/11/16 .

4. Being not satisfied with the information furnished to him the appellant then preferred first appeal before the Additional collector on 20/11/16.
5. It is the case of the appellant that Respondent 2 FAA did not heard the first appeal nor passed any appropriate order as such , being aggrieved by the action of both the Respondent, he had to approach this commission by way of Second appeal on 13/4/17, seeking prayer for directions for furnishing him the complete information, for refunding Rs. 170/-, for registering FIR for not traceable information and for invoking penal provision.
6. In pursuant to the notice of this commission, appellant appeared in person. Respondent present PIO Shri Gurudas Desai appeared and furnished required information to the appellant . The appellant on the verification of the said information submitted that with the information furnished to him on 21/6/17 by PIO in the course of the hearing before this commission his all queries are duly answered. However his grievance was that great hardship has been caused to him in obtaining information as he was made to wait being senior citizen despite of paying requisite fees and he was made again to visit the office of PIO to collect the same and that the information was provided to him subsequent date on that ground he is sought for refunding the amount of Rs. 170/- His further grievance is that the then PIO also did not bother to appear before the FAA despite of due service of notice. As such the FAA was unable to dispose the first appeal.
7. The present PIO Shri Gurrudas Dessai on humanitarian ground agreed to refund the said amount and according the said was refunded to the appellant on 27/6/17, which was duly acknowledged by the appellant. The appellant then submitted to disposed the present appeal based on the records.
8. The records shows the RTI application was duly responded within 30 days time by the PIO . The information was also furnished to him

on 11/11/16 . There is no cogent and convincing evidence brought on record by appellant to show that the then PIO have malafidely furnished him incomplete, incorrect information as such the commission is in the opinion that facts of the present case doesn't warrant levy of penalty on then PIO.

9. Since now the information is furnished and fees are refunded to the appellant, nothing survives to be decided in the appeal proceedings .

The appeal stands disposed accordingly. Proceedings stands closed.

Appeal disposed accordingly.

Proceeding close.

Notify the parties.

Authenticated copies of the Order should be given to the parties free of cost.

Aggrieved party if any may move against this order by way of a Writ Petition as no further Appeal is provided against this order under the Right to Information Act 2005.

Sd/-

**(Ms.Pratima K. Vernekar)**  
State Information Commissioner  
Goa State Information Commission,  
Panaji-Goa

