

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

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

**Appeal No.219/SCIC/2011**

Gajanan D. Phadte,  
898, Nila Niwas,  
Alto Torda,  
Porvorim – Goa.

**..... Appellant**

**v/s**

1. **The Public Information Officer,**  
The Mamlatdar Bardez,  
Mapusa Bardez - Goa.

2. **The First Appellate Authority,**  
Dy. Collector & SDO, Bardez  
Mapusa, Bardez – Goa.

**..... Respondents**

**Relevant emerging dates:**

**Date of Hearing : 24-01-2019**

**Date of Decision : 24-01-2019**

**ORDER**

1. **Brief facts of the case** are that the Appellant vide an RTI application dated on 09/06/2011 sought information u/s 6(1) from Respondent PIO, O/o Mamlatdar, Bardez Mapusa, Goa seeking information with respect to Mutation No.34204 and the Appellant is *inter alia* seeking information about the notices issued, no objection received, mutation to be certified, dates of hearing applicant and evidence, mutation fee collected, test applied to reject mutation and other such related information from A to F as mentioned in the said RTI application.

2. It is the case of the Appellant that the PIO failed to provide information within 30 days and hence a First Appeal was filed with the First Appellate Authority (FAA) on 02/08/2011. It is also the case of the Appellant that the First Appellate Authority (FAA) although held a hearing, however did not dispose off the matter and hence the appellant has filed a Second Appeal before the Commission registered on 18/10/2011 and has prayed to direct the PIO to furnish complete information and for inspection free of charge and to impose penalty, and take disciplinary action and other such reliefs. ...2

3. **HEARING:** This old matter has come up before the Commission on numerous occasions and hence taken up for final disposal. During hearing Appellant Shri. Gajanan D. Phadte is absent and it is seen from the roznama that the Appellant has remained absent from 09/05/2016 without intimation to this Commission and it appears that the Appellant is not interested to pursue his Appeal case. The Respondent PIO, Shri Laxmikant Kuttikar, Mamlatdar of Bardez, Mapusa is present.
4. **SUBMISSIONS:** The Respondent PIO submits that he has taken charge as Mamlatdar Bardez on 20/06/2018 and he has gone through the records of this old case file and states that after receiving the RTI application dated 09/06/2011, the PIO as per 7(1) vide a letter no MAM/BAR/RTI/524/11/1541 dated 05/07/2011 informed the Appellant to come and collect the information from the office of the PIO, Mamlatdar of Bardez, Mapusa on payment of necessary fees and the Appellant had also sent a letter dated 15/07/2011 letter to the PIO stating that he received the reply of the PIO on 14/07/2011 and that he is approaching the office to collect the information and for taking inspection and that the Appellant has paid an amount of Rs. 12/- for the RTI information vide receipt no 111/78 dated 15/07/2011.
5. The Respondent PIO finally submitted that vide letter no JM-III/RTI/2011 dated 29/06/2011 issued by the Office of Jt MAMLATDAR Bardez-III, to the Mamlatdar of Bardez in tabulation form on all points from A to E along with a copy of the proceedings sheet pertaining to Mutation case No.34203 & 34204.
6. **FINDINGS:** The Commission on perusal of the file indeed finds that the information has been furnished to the appellant. There is on record of the file the following documents: -

- a) Letter no MAM/BAR/RTI/524/11/1541 dated 05/07/2011 of the PIO informing the Appellant to come and collect the information from the office of PIO, Mamlatdar of Bardez, Mapusa.
- b) Receipt no 111/78 dated 15/07/2011 wherein the Appellant has paid an amount of Rs.12/- for the RTI information.
- c) Letter no JM-III/RTI/2011 dated 29/06/2011 issued by the Office of Jt MAMLATDAR Bardez-III, to the Mamlatdar of Bardez furnishing information in tabulation form on all points from A to E along with a copy of the proceedings sheet pertaining to Mutation case No.34203 & 34204.

7. As stipulated in the RTI Act, the role of the PIO is to provide information as is available in the records and which is the mandate of the RTI act 2005. As the information has been furnished, the PIO cannot be faulted in anyway, besides the Appellant was afforded several opportunities to present his case before the Commission, however by remaining absent has failed to avail the opportunities, therefore the Commission is unable to understand as to what other information remains to be furnished.

**In view that information as available has been furnished by the PIO, nothing survives on the appeal case which accordingly stands disposed.**

Consequently, the prayer of the appellant in terms of B) for imposing penalty is rejected.

All proceedings in Appeal case stands 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.

Sd/-  
**(Juino De Souza)**  
**State Information Commissioner**