

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

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**Appeal No. 300/2018/SIC-I**

Mr. Anthony Remedios,  
Tabra Vaddo, Saligao,  
Bardez-Goa

....Appellant

V/s

1. The Public Information Officer (PIO),  
O/o. the Mamlatdar of Bardez Taluka,  
Mapusa-Goa

2. First Appellate Authority (FAA),  
O/o. the Deputy Collector and  
SDO, Mapusa-Goa

.....Respondents

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

**Filed on: 12/12/2018**

**Decided on: 13/02/2019**

**ORDER**

1. By this appeal the appellant assails the order dated 13/11/2018, passed by Respondent No. 2 the Dy. Collector and SDO, Mapusa Goa, first Appellate Authority (FAA) in Appeal No. 22/69-AR/2018/FAA/RTI filed by the appellant herein.
2. The brief facts which arises in the present appeal are that the Appellant Shri Anthony Remedios vide his application dated 25/6/2018 had sought for the copies of the documents of the mutation file bearing No. 1273 and 1165 pertaining to survey No. 136 sub-Division No. 7 of Village Saligao. The said information was sought from the Respondent No. 1 PIO, of the office of Mamlatdar Bardez - Goa in exercise of appellants right under sub-section (1) of section 6 of Right to Information Act, 2005.
3. It is the contention of appellant that Respondent PIO failed to furnish the information sought and supplied him wrong information

relating to mutation case no. M/1165/94 of survey No.140/3 and mutation case No. 1273/95 of survey No. 95/7 and 71/5 which was never sought by him as such he filed first appeal before Respondent No. 2 Dy. Collector and SDO Mapusa on 27/08/2018 being first appellate authority in terms of section 19(1) of the RTI Act, 2005 and the respondent no.2 first appellate authority by an judgment dated 13/11/2018 disposed his said appeal by upholding the say of Respondent no. 1.

4. It is the contention of the appellant that he being aggrieved by the action of both the Respondents and not satisfied with the above order dated 13/11/2018, passed by respondent no. 2 and reasoning given by the Respondent no. 2, he is forced to approach this commission on 13/12/2018 by way of second appeal as contemplated u/s 19(3) of the Right to Information Act, 2005.
5. In this background the second appeal came to be filed by the appellant on 13/12/2018 with a prayer for quashing aside the order dated 13/11/2018 passed by the respondent no.2 in appeal No. 22/69-AR/2018/FAA/RTI, seeking direction to respondent no. 1 for furnishing him the information as sought by him and for directions for inquiry on the public servant responsible for the loss of information in the event that the information is not found.
6. In pursuant to the notice of this Commission, appellant appeared alongwith Advocate John Lobo. Respondent No. 1 PIO was represented by Shri Ashok Naik and by Shri Shailesh Kothwale. Talathi Shri Prasad Naik was also present. Respondent No. 2 opted to remain absent.
7. Affidavit is filed by respondent No. 1 PIO on 13/02/2019 thereby enclosing the information as available on the records of the public authority. Respondent No. 2 did not filed any say to the grounds raised in the appeal by the appellant. The copy of the affidavit of

the Respondent PIO and the enclosures were furnished to the appellant .

8. The appellant after verifying the information and the affidavit filed by the respondent PIO submitted that he does not wish to prosecute the appeal proceeding and accordingly endorsed his say on the memo of appeal.
9. Since the information available on record of the public authority concerned herein have now been furnished to the appellant and in view of the submissions and the endorsement made by the appellant. I find no reasons to proceed with the present proceedings.

Appeal disposed accordingly. Proceedings stands closed.

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.

Pronounced in the open court.

Sd/-

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