

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

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

**Compliant No: 46/2019/SIC-II**

Viresh Borkar,  
H. No. 332, Wada Bhat,  
Neura, Tiswadi Goa

**..... Complainant**

**v/s**

The Public Information Officer,  
Village Panchayat Azossim-Mandur,  
Azossim, Tiswadi, Goa

**..... Opponents**

**Relevant emerging dates:**

**Date of Hearing : 09-12-2019**

**Date of Decision : 09-12-2019**

**ORDER**

1. **Brief facts of the case** are that the Complainant vide an RTI application dated 31/12/2018 sought certain information u/s 6(1) of the RTI Act, 2005 from the PIO, Village Panchayat Azossim-Mandur, Azossim, Tiswadi – Goa. The Complainant is seeking information regarding 1) Certified copies of all permissions(permission of any nature) granted to any person related to the property survey no. 36(all sub-division numbers) of Azossim village of Tiswadi taluka and 2) Certified copies of all the complaints (complaints of any nature) received by your office related to the property survey no. 36(all sub-division numbers) of Azossim village of Tiswadi taluka and also the certified copy of the Action Taken Report with reference to the respective complaints.
2. It is seen that PIO did not furnish any reply nor information as such the Complainant filed a First Appeal on 13/02/2019 and the First Appellate Authority (FAA) vide order dated 07/03/2019 directed the Respondent PIO to furnish the information as is available in the office with respect to RTI Application dated 31/12/2018 of the Appellant within 15 days of the receipt of the order.

3. Being aggrieved that despite the directions of the FAA, the PIO has not furnished the information, the Complainant subsequently filed a Complaint case before the Commission registered on 10/07/2019 and has prayed that directions be issued to the Respondent PIO to furnish information as requested immediately without any further waste of time and for disciplinary action, penalty, compensation and other such reliefs.
4. **HEARING:** This matter has come up before the Commission on previous occasions and hence taken up for final disposal. During hearing the Complainant is absent. The Respondent PIO, Shri. Babu R. Naik, Secretary, Village Panchayat Azossim-Mandur, Azossim, Tiswadi – Goa is present in person. The FAA is absent.
5. **SUBMISSIONS:** The Respondent PIO submits that the all information relating to RTI Application was kept ready pursuant to the order of the FAA, however complainant did not come to collect the same and also during the last hearing before the Commission a complete set of the information documents was brought to be given to the Complainant, however the complainant remained absent.
6. The Respondent PIO furnishes 44 pages of information documents along with the covering letter at all points as sought in the RTI Application before the Commission and which are taken on record. The Respondent PIO finally submits that all information as is available has now been furnished requests the Commission to close the Complaint case.
7. **FINDINGS:** The Commission after hearing the submissions of the Respondent PIO finds that pursuant to the order of the FAA, the PIO had kept the information ready, however Complainant did not come to collect the same and also during the last hearing the PIO had brought a complete set of the information documents to be handed over to the Complainant, however the complainant remained absent. ...3

8. Thus the Complainant was given an opportunity to collect the information documents however the Complainant has failed to avail the opportunity and therefore the PIO is not at fault. It is seen that the 44 pages of information documents have been furnished by the PIO before the Commission and which contain construction licence dated 11/10/2018, construction licence dated 28/02/2019, Form I & XIV, Complaint filed by John Marcal dated 16/06/2008, Jusefa Martins dated 20/08/2018, St. Mateus Tenants Association dated 30/09/2018, Metlon Pereira dated 21/08/2018, Stop work order dated 11/10/2018 and other such related information sought in the RTI Application
9. **DECISION:** The Commission accordingly comes to the conclusion that as all information has been furnished by the PIO before the Commission and one copy of which is kept to be handed over to the Complainant **Nothing further survives in the Complaint case which accordingly stands disposed.** Consequently prayer for disciplinary action, penalty, compensation and other such reliefs stand rejected.
10. The Complainant is free to collect the copy of information documents furnished by the PIO from the office of the Goa State Information Commission within 30 days of the receipt of this order, if he so desires.

With these directions all proceedings in Complaint 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**