

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

Appeal No. 96/2020/SIC-I

Shri Shridhar Laxman Sawant,
R/o H.No. 363, Varchawada, Sarvan,
Bicholim, Goa.

....Appellant

V/s

- 1) The Public Information Officer (PIO),
Administrator of Comunidade,
North Zone, Mapusa-Goa.
- 2) First Appellate Authority,
Additional Collector –III,
North Zone, Mapusa-Goa.

.....Respondent

CORAM: Ms. Pratima K. Vernekar, State Information Commissioner

Filed on: 28/04/2020
Decided on: 29/7/2020

ORDER

1. The Appellant, Shri Shridhar S. Sawant has filed the present appeal on 22/4/2020 praying that the Information as requested by the Appellant at point No. 2 in his application dated 22/11/2019 be furnished to him correctly.
2. The brief facts leading to the second appeal are as under:
 - a. That the Appellant, vide his application, dated 22/11/2019 addressed to the Respondent No. 1 Public Information officer (PIO) of the office of Administrator of Comunidade, North Zone, Mapusa-Goa, requested to furnish information on 2 points as stated therein in the said application mainly pertaining to the certificates of the properties existing in the records of the Sarvan Comunidade in the Book "Tombo Second B". The Said information was sought in exercise of his right u/s 6(1) of RTI Act, 2005.

b. Vide said application the Appellant has sought the following information;

1. From page 1 reverse onwards of the same book Tombo property recorded under No. 2 "Raicodil Borod" situated at Sarvan in the name of Zairam Raju Saunto admeasuring an area of 33105 Sq. mtrs.

2. That, at page 38 reverse onwards of the same book Tombo property recorded under No. 64 in the name of Balgo Appa Saunto admeasuring an area of 29937 Sq.mts.

c) It is the contention of the Appellant that his above application filed in terms of sub section(1)of section 6 was not responded by the Respondent No. 1 Public Information Officer (PIO)within stipulated time of 30 days neither the information was provided to him and as such deeming the same as rejection, the Appellant filed First Appeal before the Respondent no. 2 Additional Collector-III, Mapusa Bardez-Goa on 06/1/2020 being First Appellate Authority in terms of section 19(1) RTI Act 2005. The said first appeal was register as case No.AC-III/03-SLS/RTI/F.A.A./2020.

d) It is the contention of the Appellant that notices of the said Appeal was given to both the parties and during the second hearing before the Respondent no. 2 First Appellate Authority i.e on 27/2/2020, the Respondent No. 1 PIO furnished the information at point No. 1 and denied the information at point No. 2. It was further contended that after hearing both the parties the Respondent no. 2 First Appellate Authority disposed the said appeal by order dated 27/2/2020. By this order Respondent no. 2 First Appellate Authority allowed the said appeal and directed the Respondent PIO to provide inspection of the said book

and to furnish the information at point No. 2, free of cost within 15 days from the date of the passing of the order.

e) It is the contention of the Appellant that the Respondent PIO did not comply the order of First Appellate Authority and also did not furnished him the information within stipulated time as directed by the First Appellate Authority, as such he being aggrieved by the action of PIO, is forced to approach this Commission by way of second appeal as contemplated u/s 19(3) of RTI Act.

3. In the above background the Appellant has approached this commission in this Second Appeal u/s 19(3) of the Act with the contention that the information at point no. 2 is still not provided and seeking order from this Commission to direct the PIO to take steps as may be necessary to secure compliance of the order passed by the First Appellate Authority to furnish the information at point No. 2.
4. Matter was taken up on board and was listed for hearing and accordingly notices were issued to the parties, in pursuant to which Appellant was present. Respondent PIO was represented by by Shri Arjun Mandrekar. Respondent no. 2 First Appellate Authority opted to remain absent.
5. Reply filed by the Respondent No. 1 PIO on 29/7/2020 alongwith enclosure, thereby furnishing information at point No. 2 vide forwarding letter dated 27/7/2020. The copy of the same alongwith enclosures was also furnished to the Appellant. The Appellant after verifying the said information, acknowledged the same on the memo of Appeal and submitted that the same is furnished as per his requirement and he has no further grievance in respect to information at point No. 2 .
6. Since the information at point no. 2 has now been provided to the Appellant as per his requirement, I am of the opinion that no

further intervention of this commission is required for the purpose of furnishing the information and hence the prayer sought in the memo of Appeal becomes infructuous.

Appeal disposed and closed accordingly.

Notify the parties.

Pronounced in the open court.

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