

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

Appeal No. : 109/2020/SIC-I/

Mrs. Julie Nunes,
R/o. H.No.138, Comba,
Margao-Goa.

..... Appellant

v/s

1. Public Information Officer-05,
The Deputy Collector /Land Acquisition Officer,
Mathani Saldana Complex,
Salcete-Goa.

2. The First Appellate Authority,
Administrator of Comunidades,
Mathani Saldana Complex,
Salcete-Goa.

...Respondent

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

Filed on:14/07/2020
Decided on:27/08/2020

ORDER

1. The brief facts leading to the second appeal as put forth by the Appellant Mrs Julie Nunes are as under:-
 - a. That the Appellant, in exercise of her right under sub-section (1) of section 6 of RTI Act, 2005, vide her application, dated 25/11/2019 addressed to the Respondent No.1 Public Information officer (PIO), Deputy Collector/Land Acquisition officer, Salcete Taluka at Margao-Goa requested to furnish certain information on 4 points as stated therein in the said application.
 - b. Vide said RTI application dated , 25/11/2019 the Appellant had sought following information:-
 - i. Whether land Acquisition Department released compensation in respect of land which has been acquired

by Government for construction of Ring road from Comba to Margao-Colva road, in Salcete Taluka to Julie Nunes in respect of Land bearing No. PTS/Chalta No. 213/21(part) of Margao? If yes, then kindly furnish me the details alongwith all relevant documents.

- ii. Kindly furnish me certified copies of land Acquisition Award along with plan.
 - iii. Whether any matter has been referred in District court, Margao under section 30 of the L.A. Act in respect of above mentioned Land Acquisition? If yes, then kindly furnish me the details of the case which has been referred in the District Court along with the documents.
 - iv. Whether any Land Acquisition compensation has been deposited in the District Court, Margao in respect of the bearing No. PTS/Chalta No. 213/21(part) of Margao? If yes, then kindly furnish the documents and details.
- c. It is the contention of the Appellant that her above application filed in terms of sub section (1) of section 6 was not responded by Respondent No. 1 PIO within stipulated time of 30 days even of she visiting the office of the Respondent PIO on various occasion but the Respondent no. 1 PIO denied giving her the information asked on some pretext or the other.
- d. It is the contention of the Appellant that Respondent PIO failed to provide her the information in the prescribed time framed, as such she filed first appeal on 6/1/2020 before the Additional Collector-I , Mathani Saldana Complex, at Margao- Goa interms of section 19(1) of RTI Act, 2005 being First Appellate Authority and after hearing both the parties disposed her appeal vide order dated 6/3/2020 wherein the Respondent No.1 PIO was directed to furnish

the information to the Appellant free of cost within 15 days from the date of the order .

e. It is contention of the Appellant that till date the Respondent has failed to provide her the information thereby defying the order of First Appellate Authority.

2. In the above background the Appellant being aggrieved by action of the Respondents has approached this Commission on 10/07/2020 in this second appeal u/s 19(3) of the Right To Information Act 2005 on the grounds raised in the memo of appeal with the contention that the information is still not provided and seeking order from this Commission to direct the PIO to furnish her the information, for invoking penal provision and imposing fine on the Respondents.
3. Matter was taken up on board and was listed for hearing and accordingly notices were issued to the parties, pursuant to which Appellant was represented by Advocate Deepak Naik. Respondent No.1 PIO Shri Vishal Kundaikar appeared.
4. Reply filed by Respondent no. 1 PIO on 27/08/2020 alongwith the enclosure thereby answering all the queries and providing available information as sought by the Appellant. The copy of the same was furnished to the Advocate for the Appellant. On verifying the said information, the Advocate for Appellant acknowledged the same and further submitted that since the information now been provided to him as per requirment, as such he does not desire to press for penalty and compensation as prayed by Appellant in the memo of appeal and accordingly endorsed his say on the memo of appeal.
5. Since the information requested by the Appellant in her RTI application dated 25/11/2019 is already furnished to the Appellant

and in view of submission and endorsement made by the Advocate for the Appellant, I find no reasons to proceed with the matter and nothing survives to be decided in the present proceedings. Hence the proceedings stands closed.

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