

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

Appeal No. : 14/2020/SIC-I/

Hemant Kir Gaude,
Suringbhat, Mangeshi,
Ponda,Goa.

..... Appellant

v/s

1. Public Information Officer-05,
Velling Priol Cuncolem Village Panchayat,
Mardol-Goa.

2. The First appellate Authority
Block Development Officer,
Ponda-Goa.

..... Respondent

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

Filed on:07/01/2020
Decided on:31/01/2020

ORDER

1. The brief facts leading to the second appeal as put forth by the appellant Shri Hemant Kir Gaude are as under:-

a. That the appellant, in exercise of his right under sub-section(1) of section 6 of RTI Act, 2005, vide his application dated 29/7/2019 addressed to the Respondent No.1 Public Information officer (PIO) of the Office of the Village Panchayat of Velling Priol Cuncolem at Mardol, Ponda-Goa requested for furnish certain information on 3 points as stated therein in the said application pertaining to Illegal construction in parts of survey No.44/1E and its sub-division Priol Village (Dayalshane Bhat Mangeshi)

b. 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 Respondent No. 1 PIO interms of section 7(1)

of RTI Act within stipulated time as such he filed first appeal on 10/9/2019 before the Respondent No. 2 Block Development Officer, Ponda Taluka, at Ponda-Goa in terms of section 19(1) of RTI Act, 2005 being first appellate authority and after hearing both the parties, Respondent No. 2 first appellate authority disposed his appeal vide order dated 15/10/2019 wherein the Respondent No. 1 PIO was directed to consider his RTI application and to furnish detail point wise information to the appellant available in the Panchayat records within 10 days free of cost from the date of the order.

c. It is contention of the appellant that the Respondent verbally informed him that the information is ready for collection and then on 20/10/2019 provided him certified copies of 71 pages comprising only of 2 sale deeds and 9 applications for grant of house no. in survey No. 44/1E of Priol Village and a letter dated 22/8/2019 but no list of the documents was provided to him.

d. It is the contention of the appellant that the PIO failed to provide him complete information and as such he had been forced to approach this commission by way of present appeal.

2. In the above background the appellant being aggrieved by action of the Respondent PIO has approached this Commission on 3/1/2020 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 complete information is still not provided and seeking order from this commission to direct the PIO to furnish him the information free of cost without any further delay.
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 present in person alongwith Shri Naresh Gaude.

Respondent No.1 PIO Shri Dinkar Kossambe appeared
Respondent no.2 opted to remain absent.

4. Reply filed by respondent no. 1 PIO on 24/1/2020 resisting the appeal and contending that information consisting of 118 pages and 2 plans were provided to the appellant free of cost on 22/10/2019. It was further submitted that there is no other information on those points available in the village Panchayat office. It was further submitted that he had responded the application of the appellant on 22/8/2019 by ordinary post well within stipulated time.
5. The PIO submitted that since the appellant is not satisfied with the information furnished to him at point 2 and 3 , he is willing to give inspection of the said records to the appellant and then the appellant can identify the documents if any which are required by him pertaining to same subject matter. Such an arrangement agreed by the appellant.
6. Additional reply was filed by the Respondent No.1 PIO on 31/1/2020 contending that due inspection was offered and carried by the appellant on 27/1/20220 and 28/1/2020 and in pursuant to which total 243 pages of the information have been provided to the appellant as per his requirement.
7. The appellant also acknowledged of having received the information and made endorsement to that effect on the memo appeal.
8. Since the information requested by the appellant in his application dated 29/7/2019 is already furnished to the appellant and in view of submission and endorsement made by 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