

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

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Appeal No.33/2021/SCIC

Mr. John Minguel Menezes,
R/o. H.No. 596, Atafondem,
Moirá, Bardez-Goa.

.....Appellant

V/S

Public Information Officer
Office of the Mamlatdar of Bardez,
Mapusa, Bardez-Goa.

.....Respondent

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 29/01/2021

Decided on: 07/07/2021

ORDER

1. The Appellant herein by his application dated 16/03/2020 filed under Sec 6(1) of the Right to Information Act 2005 (Act for short) sought certain information from the Respondent No. 1, PIO, Mamlatdar of Bardez, Mapusa, Goa, in form of certified copy of report of Talathi in respect of survey no. 42/13 and 42/13-A of the Moira Village of Bradez Taluka and document on the basis of which Talathi prepared a report leading to deduction of area from 650 to 360 sq.mts in respect of property bearing survey no. 42/13 of Village , Moira, Bardez Goa.
2. The said application was replied on 06/07/2020, informing the Appellant that the information sought by him is incomplete and therefore cannot be furnished.
3. Aggrieved with the reply of Respondent No. 1, Appellant filed First Appeal before Deputy Collector of Bardez being the First Appellate Authority (FAA). FAA by order dated 19/11/2020 rejected the

request of Appellant hence this Second Appeal under Sec 19(3) of the Act.

4. Notices were issued to the parties. Pursuant to which representative of PIO, Shri. Dattaprasad Kakatkar appeared and submitted that all the required documents have been submitted to the Appellant by the Talathi of Moira, Bardez, Goa as per the instruction of Mamlatdar of Bardez.
5. Appellant submits that, he received the set of information from the Talathi of Moira, Bardez Goa and that he received the information as sought by him under RTI application and therefore he does not want to proceed with the matter.
6. Accordingly the Appellant endorsed on appeal memo that he received the required information as sought by him and he desires to withdraw the appeal which is also endorsed by representative of PIO, Mamlatdar of Bardez, Shri. Dattaprasad Kakatkar.
7. However the gesture of the PIO, Mamlatdar of Bardez and FAA, Dy. Collector of Bardez, before filing the Second Appeal in this Commission is unpalatable and smacks malafide, as both these Public Authorities rejected the application of the Appellant with frivolous reason "incomplete" and hence cannot be furnished. Such a casual approach of PIO/FAA is against the provision and spirit of the Act.
8. As the requested information is furnished to Appellant now, nothing is left to be decided. In view of the said submission and the endorsement made by the Appellant, appeal stands dismissed as withdrawn.

Proceedings closed.

Pronounced in the open court.

Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner