

# GOA STATE INFORMATION COMMISSION

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**Shri. Sanjay N. Dhavalikar**, State Information Commissioner

## Appeal No. 66/2022/SIC

Shri. Bapu Yeso alias Yeshwant Virnodkar,  
R/o. Girkarwada, Kepe,  
Arambol, Pernem, Goa 403524  
V/s

..... Appellant

1. Celina Rodrigues,  
The State Public Information Officer,  
Office of Under Secretary (Revenue),  
Secretariat, Porvorim,  
Bardez-Goa
2. The Joint Secretary (GAD),  
First Appellate Authority,  
Secretariat, Porvorim, Bardez, Goa
3. The Joint Secretary (Revenue),  
Secretariat, Porvorim,  
Bardez-Goa

..... Respondents

Filed on: 21/02/2022

Decided on: 29/07/2022

### **Relevant dates emerging from appeal:**

RTI application filed on	: 15/11/2021
PIO replied on	: 30/11/2021
First appeal filed on	: 27/12/2021
FAA order passed on	: Nil
Second appeal received on	: 21/02/2022

### **ORDER**

1. The brief facts of this appeal are that the appellant under section 6(1) of the Right to Information Act, 2005 (for short, the 'Act') filed an application dated 15/11/2021 seeking certain information from Respondent No. 1, Public Information Officer (PIO). Upon not receiving any information from the PIO within the stipulated period, he preferred an appeal dated 27/12/2021 before Respondent No. 2, First Appellate Authority (FAA). Being aggrieved by non hearing of the appeal, the appellant filed

second appeal against Respondent No. 1 PIO, Respondent No. 2 FAA and Respondent No. 3, The Joint Secretary (Revenue), Secretariat, Porvorim-Goa.

2. Pursuant to the notice, appellant appeared alongwith Shri. Jalesh Kamat and prayed for the information. Smt. Celina Rodrigues, PIO appeared and stated that the information sought pertains to the third party, hence notice under section 11 of the Act was issued to the third party. However, the notice was returned from Post Office with the remark 'Expired', therefore the information was denied to the appellant. PIO further submitted that she shall abide by the directions of the Commission.
3. Upon perusal of the appeal memo, the Commission noted that the information sought by the appellant pertains to regularisation of Government/Alvara land assigned to late Rama Dondu Xete Virnodkar and the said information does not come under exemption as provided under section 8(1) (j), hence the said information is in public domain and the PIO is required to furnish the same to the appellant.
4. Accordingly, during the hearing on 15/06/2022 the Commission directed the PIO to provide for inspection of the relevant documents. Appellant was provided the inspection by the PIO on 22/06/2022 and the identified documents were furnished during the hearing on 06/07/2022, which was acknowledged by the appellant.
5. In the background of the facts mentioned above, the Commission concludes that the information sought by the appellant vide application dated 15/11/2021 has been provided to him by the PIO, and the appeal needs to be decided accordingly.

6. In the light of above discussion, since the information has been furnished to the appellant, the prayer for information becomes infructuous and no more intervention of the Commission is required in the matter. Thus, the present appeal is disposed and the proceeding stands closed.

Pronounced in the open court.

Notify the parties.

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/-

**(Sanjay N. Dhavalikar)**

State Information Commissioner  
Goa State Information Commission,  
Panaji-Goa