

**GOA STATE INFORMATION COMMISSION**

'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

Tel No. 0832-2437908/2437208 email: [spio-gsic.goa@nic.in](mailto:spio-gsic.goa@nic.in) website:www.gsic.goa.gov.in

---

**Complaint No. 25/2023/SCIC**

James Fernandes,  
H.No. 635, Bepquegal,  
Curcholem, Goa.

.....Complainant

V/S

1. The Public Information Officer,  
Office of the Chief Officer,  
Curcholem-Cacora Municipality,  
Curcholem-Goa.

2. The First Appellate Authority,  
The Chief Officer,  
Curcholem-Cacora Municipality,  
Curcholem-Goa.

.....Opponents

**Shri. Vishwas R. Satarkar**

State Chief Information Commissioner

**Filed on: 08/08/2023**

**Decided on: 08/11/2023**

**ORDER**

1. The Complainant, James Fernandes, r/o. H.No. 635, Bepquegal, Curcholem, Goa vide his application dated 08/03/2023 filed under Section 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought 6 points information from the Public Information Officer (PIO), Office of the Chief Officer, Curcholem-Cacora Municipality, Curcholem-Goa.
2. The said application was responded by the PIO on 17/04/2023 in the following manner:-

| <i>Sr. No.</i> | <i>Point No.</i>   | <i>Reply</i>          |
|----------------|--|-----------------------|
| 1.             | <i>Provide me information in detail on the tenure i/e from when till when Adv. Milagres Fernandes r/o. Bepquegal, Curcholem was representing the Cacora-Curcholem Municipal Council and in which</i> | <i>Under process.</i> |

|    |   |   |
|----|---|---|
|    | <i>courts he was representing the Council</i>   |   |
| 2. | <i>Certified copy of letter No. CCMC/Tech/2022-23/5393 dated 23/01/2023 addressed to the Dy. collector &amp; SDO of Quepem by the Chief Officer of Cacora-Curchorem Municipality.</i> | <i>Copy enclosed</i>                                    |
| 3. | <i>Certified copy of letter dated 27/10/2022 received from Cynthia Fernandes</i>  | <i>Copy enclosed</i>                                    |
| 4. | <i>Certified copy of letter dated 04/11/2022 received from Cynthia Fernandes</i>  | <i>Copy enclosed</i>                                    |
| 5. | <i>Certified copy of letter dated 27/01/2023 received from Cynthia Fernandes</i>  | <i>Copy enclosed</i>                                    |
| 6. | <i>Kindly allow me inspection of all relevant files on alleged illegal construction by Cynthia Fernandes</i>  | <i>Inspection may be carried out any working hours.</i> |

3. Aggrieved with the non furnishing of the information at point No. 1 by the PIO, the Complainant filed first appeal before the Chief Officer, Curchorem-Cacora Municipality, Curchorem-Goa on 27/06/2023, being the First Appellate Authority (FAA).
4. Since the FAA failed and neglected to hear and dispose the first appeal within stipulated time, the Complainant preferred this complaint proceeding before the Commission under Section 18 of the Act.
5. Notices were issued to the parties, inspite of valid service of notice none appeared for the Complainant, the PIO Shri. Uday S. Naik Dessai appeared on 05/10/2023 and submitted that he has already furnished the complete information to the Complainant. The FAA, Shri. Manohar Karekar appeared on 05/10/2023, however opted not to file any reply in the matter. The Commission directed the PIO to file a formal reply in the matter and placed on record the copy of the acknowledgment that the Complainant has received the

information and the matter was posted for reply and argument on 08/11/2023.

6. In the course of hearing today i.e. on 08/11/2023, Shri. Uday S. Naik Dessai appeared and filed his reply and submitted that information sought by the Complainant has been duly furnished on 17/04/2023 and 28/09/2023 and to support his claim he produced on record a copy of letter dated 17/04/2023 and 28/09/2023 and pointed out that same is duly acknowledged by the Complainant.
7. Since the Complainant did not participate in the complaint proceeding inspite of opportunities, I presume and hold that the Complainant has no say to offer and the reply filed by the PIO has gone unchallenged. Therefore, the Commission finds no reason to prolong the proceeding.
8. Since purported information has been furnished to the Complainant by the PIO, I hold nothing survives in the complaint proceeding. Accordingly the matter is disposed off.
  - Proceeding closed.
  - Pronounced in the open court.
  - Notify the parties.

Sd/-

**(Vishwas R. Satarkar)**

State Chief Information Commissioner