

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

CORAM: Shri Juino De Souza State Information Commissioner

Appeal No. 210/SCIC/2012,

Shri Amod Venkatesh Veling,
F-6, Thakkar Retreat,
Juna Gangapur Naka,
Gangapur Road,
Nasik,

..... Appellant

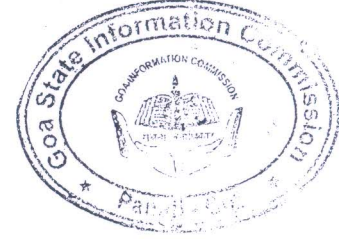
V/S
Public Information Officer,
Mapusa Municipal Council,
Mapusa –Goa

..... Respondents

Relevant emerging dates:

Date of Hearing : 09-08-2016

Date of Decision : 09-08-2016



ORDER

1. Brief facts of the Case are that the Appellant who is a resident of Nashik, Maharashtra Shri Amod Venkatesh Veling had vide an RTI application in Marathi dated 19/05/2011 sought certain information regarding the details of house tax, transfer of house and old records pertaining to house No.131 and ward No.8, Mapusa Municipal Council and the PIO vide reply dated 12/06/2012 had informed the Appellant to pay Rs.6/- and collect the information.
2. It is seen that the Appellant had deposited Rs.35/- thorough EMO No 072275120915005518 dt 15/09/2012 at Nashik post office and has not collected information.
3. Not being satisfied the Appellant filed a First Appeal on 13/07/2012 with the same public authority i.e Mapusa Municipal Council instead of the Director OF Municipal Administration, Panaji-Goa and as there was no response from the First Appellate Authority (FAA), the Appellant thereafter has filed a Second Appeal before the commission dated 28/11/2012 and having inward entry on 04/12/2012.

4. During the hearing the Appellant is absent, however there is a letter on record stating that he is unable to attend and that the commission may decide the matter on merits. The Respondent PIO is represented by Mr. Vinay Agarwadekar who is present in person and submits that all information has been furnished to the Appellant and the same was dispatched by Registered Post and which has been received by the Appellant who has signed the acknowledgment card AD .
5. The Representative for the Respondent PIO further submits that the Appellant who is from Maharashtra is sending all communication by post and there may be is a possibility that some communication may have remained unattended in the general dispatch section and due to which the PIO had no information of the electronic money order which amount has not been realized from the post office.
6. It is also submitted that the Appellant has filed the First Appeal by post on 13/07/2012 with the wrong public authority i.e Mapusa Municipal Council instead of the Director OF Municipal Administration, Panaji-Goa and that the appellant is also asking information on point no 3 about old records and which the PIO cannot answer as the Public authority, Mapusa Municipal Council deals with House tax, assessment of tax and demand collection issues and is not concerned with property title documents which are not in the custody of the Council.
7. It is finally submitted that pursuant to the directions of the Commissioner when the matter was pending before the Commission all information has been furnished to the appellant on two occasions. First vide letter no EST/RTI/3898/2013 dated 26/05/2013 and again vide letter no Tax/I/RTI/4980/2016 dated 06/06/2016 by Registered Post and which has been received by the Appellant who has signed the acknowledgment card AD as such nothing survives in the appeal case.

8. The Commission on perusal of the material on record indeed observes that information has been furnished by Registered Post on two occasion vide letter Tax/I/RTI/4980/2016 dated 06/06/2016 and EST/RTI /3898/2013 dated 06/05/2013. The information sent contains copies of Demand register of assessment of property bearing survey 131/8 standing in the name of Jaganath Waman Danai Velinga from 1977 to 2011 along with respective Assessment certificates issued by the Mapusa Municipal Council which has been received and acknowledged by the Appellant.



The Commission also agrees with the submission of the representative for the Respondent PIO that information asked at point no 3 of the RTI application with respect to old property documents which are not held by the Public authority and hence information cannot be furnished. The Commission accordingly comes to the conclusion that in view that information has been furnished as such nothing survives in the appeal case which accordingly stands disposed.

All proceedings in the Appeal case stand closed. Pronounced before the parties who are present at the conclusion of the hearing. Notify the parties concerned. Authenticated copies of the order be given free of cost.

(Juino De Souza)
State Information Commissioner