

**GOA STATE INFORMATION COMMISSION AT PANAJI**

Seventh Floor, Kamat Towers, Patta, Panaji –Goa.

**Shri. Prashant S. P. Tendolkar,  
State Chief Information Commissioner.**

**Complaint No. 30/SCIC/2016/**

Shri Sushant Ray,  
H. No. Shop No. 1, Raza Enclave,  
Opp. Flyover Bridge, Sirvodem,  
Navelim, Margao-Goa. 403 601. .... Complainant  
V/s

1. The Public Information Officer,  
The Jt. Mamlatdar of Salcete,  
1<sup>st</sup> flr, Collector Building,  
Margao –Goa.
2. The Public Information Officer,  
The Inspector of Survey & Land Records,  
2<sup>nd</sup> flr, Collector Bldg.,  
Margao-Goa. .... Opponents

**Filed on: 25/04/2016**

**Disposed on : 19/07/2016**

**O R D E R**

1) Complainant present in person. Shri Kundaikar, PIO, opponent No. 1 present. On going through the records it is seen that the initial application under section 6 of the Act was transferred by the PIO/ Opponent No.1 to Inspector of Survey and Land Records (ISLR) under section 6(3) of the Act. ISLR by reply, dated 04/02/2016 has informed the complainant that the said records are not available in the office. It is further seen from the records that the Complainant has filed the First appeal NO.05/2016 against the order of PIO herein i.e. Mamlatdar Salcete for not furnishing the information, said appeal was disposed by the FAA on 09/03/2016. The Complainant had not filed any appeal against the order of the PIO, ISLR in respect of reply, dated 04/02/2016 and has opted to file the present complaint directly against the PIO of office of Mamlatdar, Salcete & PIO , ISLR, Margao, i.e. the respondents herein.

2) Any complaint being not maintainable without the First appeal against the order/reply dated 04/02/2016, in view of the Judgment of the Supreme Court in Civil Appeal No.10787-10788 of 2011 (*Chief Information Commissioner V/s State of Manipur and other*) the present complaint cannot be entertained as against opponent No.2.

3) In the circumstances the complainant is granted liberty to file first appeal before the FAA against the reply/order of PIO, ISLR, dated 04/02/2016, if desired, within 2 weeks from today. In case such appeal is filed, the First Appellate Authority shall dispose the same in accordance with law, without insisting on the point of limitation.

The proceeding stands disposed off.

Copy of the order be furnished to the parties free of cost.

Pronounced before the parties in open proceedings.

Sd/-  
**(Prashant S. Prabhu Tendolkar)**  
State Chief Information Commissioner  
Goa State Information Commission  
Panaji-Goa

