

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

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**Shri Prashant S.P. Tendolkar,**  
**State Chief Information Commissioner,**  
**Appeal No.256/SIC/2010**

Mr. Ajay E. Vellingiri,  
H. No.61/GL/38, Behind Old MPT Hospital,  
Vasco da Gama-Goa. .... Appellant

V/s

1) The Public Information Officer,  
Mormugao Municipal Council,  
Vasco da Gama.  
2) Shri Daulat Hawaldar,  
Director of Municipal Admn./  
Urban Development, Ground floor,  
Collectorate Bldg., Panaji –Goa. .... Respondent

**Filed on: 27/10/2010**

**Disposed on: 10/05/2017**

**1) FACTS:**

a) The appellant herein by his application, dated 21/05/2010 filed u/s 6(1) of the Right to Information Act 2005(Act) sought certain information from the Respondent No.1, PIO under five points therein, pertaining to structures in ward No.VI of Mormugao.

b) The said application was replied on 02/06/2010. However according to appellant the information furnished was incomplete & misleading and hence the appellant filed first appeal to the respondent No.2, First Appellate Authority.

c) The First Appellate Authority (FAA) by order, dated 06/10/2010, ordered that the respondent to make information at points 2 & 5 available on or before 6 months from the date of order, without charging fees.

d) The appellant has thereafter landed before this Commission in this second appeal u/s 19(3) of the act seeking complete information as far as possible as also for penalty U/s 20 and compensation.

e) Notices were issued to the parties, pursuant to which PIO appeared. Notice sent to appellant was returned with remarks., "Party left". The PIO on 03/03/2017 had filed a reply to the appeal.

...2/-

In view of absence of the appellant, arguments on behalf of PIO was heard.

**2) FINDINGS:**

a) Adv. Pednekar on behalf of PIO submitted that the information on points (2) and (5) pertains to the details of the assessment of houses in the year 2010. According to him such assessment is not completed yet and hence such information is not in existence. As I did not find any such records, Advocate for PIO was directed to secure an affidavit affirming that the assessment of houses is not yet completed so that further orders can be passed.

b) In spite of directions the PIO failed to file such affidavit. In the absence of any document or the affidavit, I am unable to accept the contention on behalf of PIO that the assessment of houses is not yet completed. There is no evidence on record sufficient to hold that the information, as sought, is not in existence.

c) Considering the above circumstances and considering the fact that the information sought by appellant is from a public authority and to which a citizen is entitled to, I proceed to dispose the above appeal with the order as follows.

**ORDER**

The appeal is allowed. The PIO is directed to furnish to the appellant the information as sought by him at points (2) and (5) of his application, dated 21/05/2010, free of cost within fifteen days from the date of receipt of this order by him. Rest of the prayers are dismissed.

Pronounced in open proceedings.

Notify the parties.

Proceedings closed.

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

