

**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.100/SCIC/2016**

Shri Remy L. R. Qurdros  
Velim, Salcete –Goa.

..... Appellant.

**V/s**

- 1) PIO/Dy. Director of Panchayat,  
Junta House,  
Panaji-Goa.
- 2) FAA/Director of Panchayat,  
Panaji –Goa.

..... Respondents.

**Filed on: 23/05/2017**

**Decided On: 12/07/2017**

**O R D E R**

1) On 11/7/2017 when the matter was called, appellant remained present. Shri R. D. Mirajkar, PIO, Additional Director of Panchayat-II also remained present and filed the reply submitting that after making efforts the file could be traced and that the information as was sought by the appellant by his application dated 02/11/2015 is furnished to him on 06/07/2017.

2) The appellant who is present today also filed memo submitting that the concern file is traced and that the required information has been furnished to him. He further prayed for appropriate orders from this Commission.

...2/-

3) I have perused the records. It is seen that by his application, dated 02/11/2015 the appellant has sought certified copies pertaining to Panchayat Appeal No.22/2004. The PIO by his reply under section 7(1) informed the appellant that the concerned file is transferred and that the file was called from the office of Director of Panchayat at Panaji to South Goa , Margao. It was further informed that the same is missing.

4) Subsequently, the PIO filed on the inventory of the files. As per the same the concern file was not traceable. On the subsequent date of hearing the then PIO Shri Mahesh Khorjuvekar filed an affidavit confirming that the concerned file is missing. He further submitted that as the record from the office of Director of panchayat North where subsequently transferred to Additional Director of Panchayat South and as the matter pertains to South Goa the file could have been misplaced in the course of transfer. Accordingly, the Additional Director of Panchayat South was directed to file the affidavit.

5) Considering the above facts which are on record in the form of affidavit, it is noticed that initially there was only one Director of Panchayat for whole Goa when the concerned matter started. Subsequently bifurcation in functioning took place and the file was transferred to other office. Considering such situation the chances of loosing the track of files cannot be ruled out. Consequently the delay if any in furnishing the information cannot be attributed solely to the PIO.

In the aforesaid circumstances I find that delay is probable and there are no grounds sufficient to invoke my power under section 20 and/or under section 19(8)(b) of the act.

Under the aforesaid circumstances and considering the fact that the information is already furnished, I find that no intervention of the commission is now required. The appeal is therefore required to be disposed accordingly.

The appeal is therefore disposed. Proceedings closed.

Communicated the orders to the parties.

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