

GOA STATE INFORMATION COMMISSION

Kamat Tower, Seventh Floor, Patto Panaji-Goa

**CORAM: Smt. Pratima K. Vernekar,
State Information Commissioner.**

Appeal 147/SIC/2015

**Shri Pedrito Misquita @
John Peter Misquita,
H. No. 234-B, Souza Waddo,
Candolim, Bardez-Goa**

...Appellant

V/s

- 1. Public Information Officer /Asst PIO,
O/o. Civil Registrar cum Sub Registrar,
Mapusa-Goa**
- 2. State Registrar cum Notary Head/FAA,
Shrama Shakti Bhavan,
Patto, Panaji-Goa ...Respondents**

Appeal filed on: 4/11/2015

Decided on: 2/06/2017

ORDER

1. The Appellant Shri Pedrito Misquita alias John Peter Misquitta by his application dated 30/12/14 sought copies of all deeds of sale executed by Saluzinho Soares a/s Agapito Soares and others vendors pertaining to property surveyed under survey no. 80/3, 80/32 and 82/1 situated at Calangute Aradi Village of Bardez Taluka executed between 1/05/2001 till 30/12/14 so also the documents submitted by the vendors and purchasers during registration of deed of sale.
2. The said application was responded by Respondent No. 1, Public Information Officer (PIO) on 19/1/15 thereby furnishing part of the information from the year 2009-2015.
3. Being not satisfied with the reply of the Respondent No. 1, PIO, Appellant vide letter dated 2/02/2015 informed the Respondent No. 1 PIO that his requirement was from 1/5/2001 where as they have furnished details from the 2011 onwards. Vide said letter he has sought confirmation/clarification whether there was any sale deed

executed between 1/05/2001 till 12/03/2011 since the same was not furnished to him.

4. Since he did not receive any information to his letter dated 2/02/2015, he approached the Civil Registrar being First Appellate Authority (FAA) on 2/06/2015 (Respondent No. 2 herein) and the Respondent No. 2 FAA after hearing both the parties vide order dated 15/10/2015 partly allowed the Appeal and Respondent PIO was directed to allow the appellant inspection of day book No. I and also index available in the office of the Respondent PIO free of cost within 10 days from the date of receipt of the order. And to issue copies of the documents on proper application and after being the required fees paid by the appellant.
5. It is case of the appellant that the order of the Respondent No. 2 FAA was not complied by the Respondent No. 1 PIO as such he was compelled to approach this Commission on 3/10/2015 by way of second appeal under section 19(3) of the Right to Information Act, 2005 for the direction as against Respondent PIO furnishing information free of cost which was sought by him by his application.
6. In pursuant to the notice appellant was present in person. Respondent No. 1 Shri Mahesh Prabhu Parrikar appeared on one occasion on 22/03/2017 and during rest of the hearing his representative Mr. Sanjay Redkar was present. Respondent No. 2 FAA represented by Advocate Harsha Naik.
7. In the course of the hearing on 22/03/2017 when the PIO Shri Mahesh Prabhu Parrikar alongwith the then PIO Arjun Shetye was present, the appellant submitted that he required the said information on priority basis and he agreed to visit Office of Civil Registrar cum Sub Registrar at Mapusa to carry out inspection of day book (I) and also index available in the Office of PIO. The present PIO agreed to offer him inspection. Accordingly, date for inspection was fixed on 4/04/2017 at 14 hrs. On subsequent day of the hearing the compliance report was filed by the appellant intimating this commission that he has carried out

inspection of the records and that no name of vendors/sellers was found on said Register as such he was unable to trace his requirement.

8. The information furnished to him was earlier verified and it is noticed that the information pertaining to 2001 till 2011 have not been duly furnished. The PIO has also not replied to appellant letter dated 2/02/2015 nor offered any clarification or explanations on the above letter.
9. Since the appellants queries are not answered completely, the ends of justice will met with following order:-

ORDER

- a) The Respondent PIO is hereby directed to give clear answer whether the information as sought by the Appellant pertaining to year 2001 to 2011 is available in their records or not. And if so available the copies of the same may be furnished to the appellant free of cost.

Proceeding stands closed.

Notify the parties

Authenticated copies of the order should be given to the parties free of cost.

Aggrieved party if any may move against this order by way of Writ Petition as no further Appeal is provided against this order under the Right to Information Act 2005.

Pronounced in the open court.

Sd/-

(Ms. Pratima K. Vernekar)
State Information Commissioner
Goa State Information Commissioner
Panaji-Goa

Kk/-fn