

GOA STATE INFORMATION COMMISSION
Kamat Towers, seventh Floor, Patto, Panaji, Goa

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

Appeal No.97/2018/CIC

Maria Regina Cardozo,
19 Ravrora Cotta Chandor,
Salcete Goa.

..... Appellant

V/s

- 1) The Public Information Officer,
Officer of the Mamlatdar,
Mathany Saldanha Building,
Margao –Goa.
- 2) The Appellate Authority,
Office of the Deputy Collector
Mathany Saldanha Building,
Margao –Goa.

..... Respondents

Filed on:20/04/2018

Disposed on:02/08/2018

1) FACTS IN BRIEF:

a) It is the contention of the appellant herein that by his application, dated 02/01/2018 filed u/s 6(1) of the Right to Information Act 2005 (Act for short) sought information from the Respondent No.1, PIO. The said information was seeking the numerical range of old mutation files of village Chandor, Salcete after survey was conducted. Appellant has also sought for mutation proceedings no 85 and 127 of survey no.11/9 of Chandor village.

b) According to appellant the said application was not responded to by the PIO within time and as such deeming the same as refusal appellant filed first appeal to the respondent No.2, being the First Appellant Authority (FAA).

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- c) It is the contention of appellant that FAA failed to pass any order on the said appeal nor even notice was issued therein.
- d) The appellant has therefore landed before this commission in this second appeal u/s 19(3) of the act.
- e) Notices were issued to the parties pursuant to which the appellant appeared. Neither the PIO nor the FAA appeared inspite of notice.
- f) In spite of granting opportunity PIO failed to file any reply and in view of absence of PIO the submissions of the appellant were heard. Appellant was represented by Mr Luel Fernandes.

2) FINDINGS:

- a) Perused the records and considered the submissions of the appellant. By her application dated 02/01/2018 the appellant has sought information on two counts:
 - (i) The numerical range of old mutation files of village Chandor and
 - (ii) Mutation proceedings Nos. 85 and 127 of survey number 11/9 of village Chandore, Salcete.
- b) On perusal of the nature of information, it is seen that the same are the public records viz. The mutation records. Being so the exemptions of section 8 and/or (9) of the act would not apply for seeking any information.
- c) The PIO has not filed any reply nor has given any grounds preventing him from furnishing the said

information. Similarly the FAA also has not shown any grounds preventing him from entertaining the first appeal.

d) Considering the above conduct of the respondents herein, this Commission finds no grounds to reject the request of the appellant. Consequently the present appeal stands disposed with the order as follows.

O R D E R

The appeal is allowed. The PIO of Office of Mamlatdar Salcette, is hereby directed to furnish to the appellant, the information sought by her, vide her application dated 02/01/2018, free of cost.

The appellant to furnish the name of then PIO and his/her present place of posting, within fifteen days from the date of receipt of this order.

On receiving the details of then PIO as above issue notice to him/her u/s 20(1) and/or 20(2).

Appeal disposed. Notify parties.

Pronounced in open hearing

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