

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

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

Appeal NO. 211/2017/CIC

Filed on: 05/12/2017

Miss Elvina Barreto,
H. No. 553, Colsor,
Galgibaga, Canacona-Goa. Appellant

V/s

Shri Sudesh K. N. Bhaireli,
PIO/Inspector of Survey & Land Records,
Canacona -Goa. Respondent

Appeal NO. 51/2018/CIC

Filed on 23/02/2018

Miss Elvina Barreto,
H. No. 553, Colsor,
Galgibaga, Canacona-Goa. Appellant.

V/s

The Public Information Officer,
Superintendent of Survey and Land Records,
Panaji -Goa. Respondent

Both Decided on: 14/06/2018

O R D E R

As both the above appeals involve a common point and pertaining to same records in respect of which information was sought, both the above appeals are disposed by this common order.

- 1) The facts in brief in respect of appeal No.211/2017 are that by her application dated 22/09/2017, the appellant

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sought from PIO of office of Inspector of Surveys and Land Records Canacona (ISLR) the certified copy of the “process papers of Survey plan under survey number 179/9 of Ponguini Village, Canacona Taluka”.

As per facts in appeal No.51/2018/CIC is that by another application, dated 22/11/2017, the appellant sought from PIO office of Director, Directorate of Settlement and Land Records, Panaji-Goa, (DSLRL) the certified copy of P.T. Sheet No.34, remarks page details such as name signature, file/case number etc., in respect of first work for the survey No.179/9 of Painguini Village.

- 2) According to appellant information in respect of both applications was not furnished, after exhausting remedy of first appeal she was approached this Commission in these second appeals. After notifying the parties they appeared and both the PIO filed their replies. Arguments/submissions of parties was sought.
- 3) According to appellant the land under survey No.179/7 was initially a single entity and subsequently a part of the same was carved out and numbered as subdivision 9. Further according to her the said portion under survey Number 179/9 being part of survey No.179/7, the names of same persons ought to have been recorded but that some third persons are recorded as co-occupants. For getting the said records rectified, she wants the information as sought.

Appellant further submitted that in the reply dated 22/10/2017 sent by PIO, ISLR in appeal No.211/2017 it is

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informed to her that the survey of survey No.179/7 and 179/9 was commenced on 10/12/1973 and completed on 12/03/1974 as per the remarks on the P.T. Sheet No.34. She desires to have the copy of said purported remarks.

- 4) It was also the contention of appellant that on two occasions two separate survey plans of survey No.179/9 are furnished. In one plan it is shown that the said portion is taken from survey No.179/8 and in other it is shown as from No.179/7. By pointing out the arrows marked in the plan, wherein in plan filed in appeal No.211/2017, the arrow shows as from survey No.179/8, whereas in appeal No.51/2018 the copy of survey plan filed by her alongwith her appeal memo at page (12) thereof such arrow is shown as from survey No.197/7. Thus according to her the information given is wrong.
- 5) The PIO DSLR and PIO ISLR submitted that the survey of Land under survey No.179/9 and 179/7 was undertaken initially at the time of survey of Goan lands and thereafter there was no change effected in said survey plans. According to them the date of commencement and conclusion of survey work of said lands is recorded in the remarks contained in P.T. Sheet.
- 6) The Commission after perusing the records and considering the clarification finds that according to appellant there is partition of the area under survey NO.179/7 and part of it is taken out as sub division 9. Contrary to said contention it is the case of PIO that there is no change is survey plan and the same exist in same way as it existed initially at the time of survey. The stand of the PIOs is required to be clarified to the appellant and the Commission feels that the same can be clarified by

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directing both PIOs to furnish additional documents which were produced today for clarification of the Commission. Accordingly the PIO, DSLR and PIO ISLR are directed to furnish to the appellant the copies of the following documents:

- i) Plan of survey No.179/9 of village Painguinim, Taluka Canacona by an arrow marked through the portion under survey NO.179/8 of said village.
- ii) Full P.T. Sheet containing plans of Survey Nos. 179/7 and 179/9 of Village Painguinim taluka Canacona alongwith the remarks/endorsements/ certificate contained thereon.
- iii) Area book of land under survey Nos. 179/7 and 179/9 of village Poinguinim taluka Canacona.

Appeals are disposed accordingly. Notify the parties.
Proceedings closed.

Pronounced in open proceedings.

Sd/-

(Prashant S.P. Tendolkar)

State Chief Information Commissioner
Goa State Information Commission
Panaji - Goa