

# GOA STATE INFORMATION COMMISSION

Kamat Towers, seventh Floor, Patto, Panaji, Goa

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

**Appeal No.234/2018/CIC**

Vishnu Sabaji Ashvekar,  
R/o H.No. 6/17-A,  
Sonarbhat Saligao,  
Bardez –Goa.  
403511

**....Appellant**

**V/s**

The Public Information Officer,  
Village Panchayat of Saligao,  
Bardez – Goa.

**.....Respondent**

**Filed On:01/10/2018**  
**Disposed On: 13/02/2019**

## **1) FACTS IN BRIEF:**

- a) The appellant herein by his application, dated 08/06/2018 filed u/s 6(1) of The Right to Information Act 2005 (Act for short) sought information from the Respondent No.1, PIO in the form of certified copies of all documents submitted by Mr. Monico Menezes for availing NOC for electricity connection and with reference to resolution, dated 28/06/2008.
- b) The said application was replied on 23/07/2018 enclosing certified copies of letters, dated 27/06/2018 and 08/10/2008. However according to appellant the information as furnished was incomplete and hence the appellant filed first appeal to the respondent No.2, being the First Appellant Authority (FAA).
- c) The FAA by order, dated 27/08/2018, allowed the said appeal and directed PIO to furnish the information free of cost within ten days after search the documents from office records.

Sd/-

...2/-

- d) The appellant has therefore landed before this commission in this second appeal u/s 19(3) of the act.
- e) Notice were issued to the parties, pursuant to which they appeared. The PIO on 14/12/2018 filed affidavit in reply to the appeal. Vide her said affidavit it is stated by PIO that she has replied to the application for information and had submitted reply after due searches of records by her and office clerk Yeshwant Shriodkar. According to her. On account of dampness to walls there was attack of white ants to the wooden cupboard of records and that it may be that said records are destroyed and hence not traceable.

The appellant filed his reply in counter. According to him the reply of PIO is false and frivolous. According to him he is furnished with a copy of the application submitted by Mr. Monico Menezes but he has not been furnished with the copies of documents furnished alongwith said application. The appellant denies that the records are attacked by white ants. It is further according to him that the documents filed alongwith application are maintained in same file then how the accompanying documents are eaten by ants. The appellant has prayed for a direction to PIO to furnish the documents.

**2) FINDINGS:**

- a) Perused the records and considered the rival contentions. The act envisages sharing of the information which is in existence. In the present case the applications dated 27/06/2008 and 18/10/2008 filed by Mr. Monico Menezes are admittedly furnished to

Sd/-

...3/-

appellant. The grievance of the appellant is in respect of the accompanying documents, purportedly attached to the said applications.

- b) PIO has produced affidavitory evidence to show that there are no further documents traceable in the office. Had there been any accompanying documents the same would have been available in the same file. The appellant has not produced any tangible evidence to show that in fact any documents were attached to the applications filed by Mr. Menezes.
- c) If one peruses the copy of the application filed by said Mr. Menezes, which is admittedly furnished to appellant, it is seen that there is no mention of any annexure to the it. In ordinary course when any other documents are filed alongwith any application such documents are listed in the application to which they are annexed. However an endorsement is found on the said letter in a different handwriting, as “enclosed House Tax Receipts”.
- d) Though the appellant herein claims that the information furnished is incomplete, there is nothing produced to show as to what would constitute the complete information. In the circumstances I am not able to concur with the appellant that incomplete information is furnished.
- e) Considering the above circumstances, I find no grounds to interfere in the orders passed by the FAA. The appeal therefore hold no merits. However the appellant shall be entitled to have the copy of house tax receipt. In the circumstances I dispose the present appeal with the following:

Sd/-

...4/-

**O R D E R**

The PIO shall furnish to the appellant the copy of the house tax receipt pertaining to house No.6/17-C, within ten days from the date of receipt of this order by her.

Copy of the order to be furnished to parties. Proceedings closed.

Pronounced in open hearing.

Sd/-

**(Shri. P. S.P. Tendolkar)**

Chief Information Commissioner  
Goa State Information Commission  
Panaji -Goa