

**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.151/2017/CIC**

Shri. Nevil B. Furtado,  
Hno. 51, Copelwaddo,  
Sernabatim, Salcete-Goa.

**....Appellant**

**V/s**

- 1) The Public Information Officer,  
O/o the Mamlatdar of Salcete,  
Margao-Goa.
- 2) First Appellate Authority,  
O/o The Dy. Collector & SDO,  
Margao, Salcete-Goa.

**....Respondents**

**Filed On: 11/09/2012**

**Disposed On:07/11/2019**

**1) FACTS IN BRIEF:**

- a) The appellant herein by his application, dated 16/5/2017 filed u/s 6(1) of The Right to Information Act 2005 (Act for short) sought certain information from the respondent no.1, PIO under three points therein.
- b) According to appellant the PIO has failed/refused to furnish the information within time and as such appellant filed first appeal to the respondent no.2 being the First Appellant Authority (FAA).
- c) The FAA by order, dated 16/08/2017 allowed the said appeal and directed PIO to furnish the information within seven days free of cast.
- d) In spite of said order the PIO failed to furnish the information and hence the appellant has landed before this commission in his second appeal u/s 19(3) of the act.

Sd/-

...2/-

e) Notices were issued to the parties, pursuant to which they appeared. The PIO on 29/03/2018 filed his reply to the appeal. It is the contention of PIO that the information sought by the appellant was compiled and was ready for issuance, which was intimated to the appellant vide letter, dated 26/07/2017 the further prayed that the appeal be dismissed. Parties did not file any further submissions.

**FINDINGS:**

- a) On perusal of the records it is seen that nowhere it is case of PIO that the information sought is exempted under any of the provisions of section 8 and/or 9 of the act. Hence the same is disseminable under the act. Moreover the PIO has clarified that the information was compiled and kept ready for furnishing to appellant. Being so I find that the information has to be furnished to appellant
- b) The FAA has directed the PIO to furnish the information free of cost. I find no grounds to interfere in said order.
- c) Though the appellant has pleaded that on receipt of the letter he attended the office but that no documents were furnished, I find no evidence regarding the same, except that the intimation by PIO to collect the information is not disputed. Considering the response of PIO that the information is compiled and kept ready, I find no intentional denial of information.
- d) Considering the above circumstances I find that the information as sought is required to be furnished to the appellant. I find no grounds to hold that non furnishing of information earlier was at all deliberate or intentional. Hence I dispose the above appeal with the following:

Sd/-

...3/-

**O R D E R**

**Appeal is allowed. PIO, Office of Mamlatdar, Salcete, Margao-Goa, shall furnish to the appellant, free of cost the following information viz.**

- 1) *Certified copy of form I & XIV of survey no.493/manual form from the register maintained by the Talathi from the V. P. of Curtorim.*
- 2) *Certified copy of Gat book (page relating to the entry in respect to Sy No.493/0) of village Curtorim.*
- 3) *Certified copies of documents relating to survey no.493/0 apart from point nos 1 and 2 above maintained by the office of the Mamlatdar of Salcete.*

Said information shall be furnished to appellant within 15(fifteen days) from the date of receipt of this order by the PIO.

Proceedings closed.

Order be communicated to parties.

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