

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

CORAM: Shri Juino De Souza: State Information Commissioner

Appeal No. 160/2017/SIC-II

Mr. Joquim Dias,
H. No. 98(B), Duncolim,
Seraulim – Salcete,
Goa. 403 708

..... Appellant

v/s

The Public Information Officer,
Mamlatdar of Salcete,
Mathany Saldana Complex,
Margao, Salcete – Goa.
Margao – Goa.

..... Respondent

Relevant emerging dates:

Date of Hearing : 10-02-2020

Date of Decision: 10-02-2020

ORDER

1. **Brief facts of the case** are that the Appellant vide an RTI application dated 29/03/2017 sought certain information under section 6(1) of RTI Act, 2005 from the Respondent PIO, O/o Mamlatdar of Salcete, Mathany Saldanha Administrative Complex, Margao, Salcete-Goa.
2. The Appellant is seeking information regarding Whether any association is registered in the office of the Mamlatdar of Salcete vide Reg.No.1/99 in the name of 'TOLLEA BAND TENANT ASSOCIATION' if yes to furnish the following information (a) Registered address of the Association (b) Name and addresses of all the members of the Association alongwith the Survey Nos. of their land or paddy fields and also the total area of the land owned by all the members of the Association, (c) Whether all the paddy fields owned by the members where cultivated for last 10 years i.e. from January 2006 to December 2016, (d) Whether all the statutory requirements for an association are complied by this association and if yes whether the registration of this association is in force or valid.....

....2

.....(e) Please provide copies of the Financial Statement/Accounts i.e. Balance Sheet, Statement of Receipts and Payments, income and Expenditure or profit and loss accounts of the "Tollea Band Tenant Association" submitted to your office for the financial year from 2006 -07 to 2015-16 submitted to the office of the Mamlatdar and other such related information contained in the RTI applications therein.

3. It is seen that the PIO vide reply letter No.MAM/SAL/Ten-ASSO/2017/912 dated 08/05/2017 wrote a letter to the Chairman, Tollea Band Tenant Association, Seralim Salcete Goa to furnish the information so as to issue the same to the appellant. The PIO has also marked a copy of the same to the Appellant.
4. The Appellant having failed to receive information from the PIO thereafter filed a First Appeal and the First Appellate Authority vide a short Order dated 30/06/2017 on the roznama sheet disposed off the First Appeal by directing the PIO, Mamlatdar of Salcete to provide the information within 15 days
5. Being aggrieved that despite the directions of the First Appellate Authority (FAA), the PIO has not furnished any information as such the Appellant approached the Commission by way of Second Appeal registered on 26/09/2017 and has prayed to direct the PIO to provide information and for penalty and other such reliefs.
6. **HEARING:** This matter has come up for hearing before the Commission on numerous previous occasions and hence is taken up for final disposal. During the hearing the Appellant Mr. Joquim Dias, is absent. The Respondent PIO is represented by Mr.Walter Rodrigues, Head Clerk with the public authority.
7. **SUBMISSION:** At the outset the representative for the PIO Mr. Walter Rodrigues submits that after the receipt of the RTI application the PIO has sent a letter to the said "Tollea Band Tenant Association" dated 08/05/2017....

..... with a copy marked to the Appellant and that the said Tollea Band Tenant Association furnished the information which was compiled and provided to the Appellant.

8. **FINDINGS**: The Commission finds that the PIO after receipt of the RTI application from the Appellant sent a letter dated 08/05/2017 to the Chairman of Tollea Band Tenant Association with a copy marked to the Appellant and the Appellant has paid an amount of Rs.422/- vide Receipt No.2/2017/3024 dated 05/05/2017 and collected the information.
9. The Commission also finds that there is a reply filed by the PIO dated 24/02/2018 confirming the facts and in point No.3 of the said reply the PIO has clearly stated that whatever information was provided by Tollea Band Tenant Association was compiled and made available to the Appellant.
10. **DECISION**: The Commission finds that the Tollea Band Tenant Association is not declared as a public authority but falls under the Administrative tutelage of the Mamlatdar with limited supervisory powers pertaining to Auctioning of sluice gate rights i.e. fishing rights.
11. The Commission comes to the conclusion that whatever information has been furnished by the said Tollea Band Tenant Association and which the PIO complied and has furnished to the Appellant and who has paid an amount of Rs.422/- and collected the information.

Nothing further survives in the Appeal case which accordingly stand disposed.

Pronounced before the parties who are present at the conclusion of the hearing. Notify the parties concerned. Authenticated copies of the order be given free of cost.

Sd/-
(Juino De Souza)
State Information Commissioner

