

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

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**CORAM: Shri Juino De Souza: State Information Commissioner**

**Appeal No.296/2019/SIC-II**

Shri. Vishwanath B. Solienkar,  
S1 Artic Apartments,  
Behind Don Bosco Engineering College,  
Fatorda, Margao - Goa.

**..... Appellant**

**v/s**

1.Public Information Officer,  
Office of the Registrar of Births & Deaths  
Margao Municipal Council,  
Margao – Goa.

2. First Appellate Authority,  
Office of the Chief Officer,  
Margao Municipal Council,  
Margao – Goa.

**..... Respondents**

**Relevant emerging dates:**

**Date of Hearing : 06-01-2020**

**Date of Decision: 06-01-2020**

**O R D E R**

1. **Brief facts of the Case** are that the Appellant has approached the Commission by way of a Second Appeal registered on 26/09/2019 being aggrieved with the fact that although the Commission had remanded the matter back by its Order dated 08/07/2019 in the earlier Second Appeal no 113/2019, the First Appellate Authority (FAA) has not passed any order and has prayed that directions be given to the PIO to furnish the information and for other reliefs.
2. **HEARING:** During the hearing the Appellant Shri. Vishwanath B. Solienkar is absent. The Respondent present PIO, Shri. Prashant Narvekar, Municipal Engineer, Grade-II with the public authority is present in person. The FAA is absent.
3. **SUBMISSION:** The PIO submits that all information was provided to the Appellant in tabulation form by the previous PIO vide letter bearing No.MMC/ADMN-RBD/2018-19/3103 dated 08/03/2019. It is further submitted that as the previous First Appellate Authority (FAA) could not pass an Order on the First Appeal as he was transferred and requests that the Commission may once again remand the matter back so that the present First Appellate Authority (FAA) may pass an order. ..2

4. The PIO also furnishes a copy of regarding the details of Birth register wherein at Serial No.B/. 3644, it shows the registration of the Birth of Shri. Akash Vishwanath Solienkar and details such as place of Birth, permanent residential address of parents, name of Father and Mother, etc which is taken on record. The PIO also states that there is no other information available in the records of the Margao Municipal Council.
5. **FINDINGS:** The Commission finds that the previous FAA, Shri. Sidhivinayak Nayak, Chief Officer, Margao Municipal Council could not comply with the Order dated 08/07/2019 in Appeal No 113/2019/SIC-II passed by this Commission since he was transferred.
6. **DECISION:** The matter is accordingly once again remanded back to the present FAA who is hereby directed to issue fresh notices to both the Respondent PIO and the Appellant within 15 days of the receipt of this order, in any case, latest by 28th Jan, 2020. The FAA shall after hearing the parties decide the First Appeal on merits by passing an appropriate speaking order. Needless to say that the said First appeal should be disposed off within 30 days from the date on which the parties attend on the date of the first hearing.
7. It is open to the Appellant if he is still aggrieved by the order of the FAA, to approach this Commission either by way of a Second Appeal u/s 19(3) or a Complaint u/s 18 as the case may be. Consequently the prayer of the appellant cannot be entertained at this stage and accordingly stands rejected.

**With these directions the appeal case stands 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**