

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

Tel: 0832 2437880 E-mail: spio-gsic.goa@nic.in Website: www.scic.goa.gov.in

Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 302/2023/SIC

Smt. Anjani Gopal Tilnaik,
H. No. 153, Vazarwada, Podocem,
Paryem, Sattari-Goa.

-----Appellant

v/s

1.The Public Information Officer,
Smt. Smita Jagdish Gaonkar,
The Inspector of Survey and Land Records,
Sattari- Goa.

2. The First Appellate Authority,
Smt. Anisha Matondkar,
The Superintendent of Survey and Land Records,
Panaji-Goa.

----Respondents

Relevant dates emerging from appeal:

RTI application filed on	: 16/02/2023
PIO replied on	: 08/03/2023
First appeal filed on	: 04/04/2023
First Appellate Authority order passed on	: 09/06/2023
Second appeal received on	: 29/08/2023
Decided on	: 12/02/2024

ORDER

1. Being aggrieved by the action of Respondent No. 1, Public Information Officer (PIO), of not furnishing the information and order passed by Respondent No. 2, First Appellate Authority (FAA), appellant under Section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') filed second appeal against both the respondents, which came before the Commission on 29/08/2023.
2. The concerned parties were notified, pursuant to which, Shri. Ulhas R. Mainikar appeared on behalf of the appellant under authority and filed rejoinder dated 27/11/2023. Shri. Ranjit Patil, APIO and Smt. Smita Gaonkar, PIO appeared in person, filed reply dated 18/10/2023 and submissions on 03/01/2024 and 30/01/2024
3. PIO stated that, the application with respect to point nos. 3, 4, 6 and 9 was transferred to the PIO, Superintendent of Survey and Land Records, office of the Directorate of Settlement and Land Records, Panaji and respondent PIO was responsible for furnishing the information on point nos. 1, 2, 5, 7, 8, 10 and 11. PIO further stated

that, she has already furnished part information and undertakes to furnish remaining information, as available to the appellant. That, she has not denied any information with malafide intention.

4. Appellant submitted that, she had sought the information in public interest and the said information has to be available in the office of the PIO, thus, the PIO is required to furnish the same to the appellant. Appellant further contented that she visited PIO's office several times, yet she was not furnished complete information.
5. During the hearing, Smt. Smita Gaonkar, PIO submitted before the Commission that, she has kept ready the remaining information and the appellant may collect the same from her office. PIO further clarified that survey records are not maintained by her office name-wise, hence information on point nos. 5 and 10 cannot be furnished. Also, information sought on point no. 11 is hypothetical, thus, cannot be furnished.
6. The Commission, upon perusal of records, directed the PIO to dispatch the information to the appellant by Registered Post, instead of requesting the appellant to visit her office to collect the information.
7. Accordingly, Smt. Smita Gaonkar, PIO vide submission dated 30/01/2024 stated that, vide letter dated 15/12/2023, dispatched on 18/12/2023, she had sent the information by Registered Post and the same was received by the appellant on 21/12/2023. Also, information on point no. 8 was collected and acknowledged by the appellant on 10/01/2024.
8. It is noted that, the PIO had furnished part information by responding to the application within the stipulated period. Later, as per the direction of the Commission, furnished remaining information, as available in her records. Similarly, the information has been received and acknowledged by the appellant.
9. In the background of the facts as mentioned above, the Commission finds that the information as available has been furnished and receipt of the information has been acknowledged by the appellant. Hence, there is no further need of any intervention in the instant matter.
10. This being the case, the present appeal is disposed accordingly and the proceeding stands closed.

Pronounced in the open court.

Notify the parties.

Authenticated copies of the order should be given to the parties free of cost.

Aggrieved party if any, may move against this order by way of a Writ Petition, as no further appeal is provided against this order under the Right to Information Act, 2005.

Sd/-

Sanjay N. Dhavalikar

State Information Commissioner
Goa State Information Commission,
Panaji-Goa.