

GOA STATE INFORMATION COMMISSION
"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001
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Appeal No. 291/2024/SCIC

Mrs. Sulekha Dina Kinlekar,
alias Sulekha Hadkonkar,
R/o. Voglebhat,
Bambolim-Goa 403201. ---Appellant
V/s

- 1.The Public Information Officer,
Office of Mamlatdar of Pernem,
Pernem, North-Goa.
- 2.The First Appellate Authority,
The Mamlatdar of Pernem,
Pernem, North-Goa. ----Respondents

Shri. ARAVIND KUMAR H. NAIR - State Chief Information Commissioner, GSIC

Relevant Facts Emerging from the Appeal.

RTI application filed on	- 20-03-2024
PIO replied on	- 18-04-2024
First Appeal filed on	- 30-07-2024
First Appellate order on	- 10-10-2024
Second appeal received on	- 16-12-2024
Decision of the Second Appeal on	- 09-06-2025

Information sought and background of the Appeal

- Mrs. Sulekha Dina Kinlekar filed an application dated 20/03/2024 under RTI Act, 2005 to the PIO, Office of Mamlatdar, Pernem seeking '*Certified copies of order with complete file pertaining to the case No.MAM/PER/TNC/5/2003*'.
- In response to the RTI application, PIO, Office of Mamlatdar, Pernem vide letter dated 18/04/2024 replied that as per the report submitted by the Court clerk, "*information sought pertaining to case No. MAM/PER/TNC/5/2003 is not traceable in office records.*"
- Aggrieved by the reply received from the PIO, Appellant filed first appeal dated 30/07/2024 before the First Appellate Authority stating that Respondent deliberately did not furnish the information and prayed for

direction to the PIO to furnish information and delay of 65 days in filing first appeal be condoned.

The Second appeal does not contain the Judgement and order passed by the FAA (Mamlatdar of Pernem).

4. Records available with the present appeal shows that PIO vide letter dated 10/10/2024 replied to the Appellant that *"As per the report received from the Court Clerk, the copy of Judgement and Order pertaining to case No. MAM/PER/TNC/5/2003 is available. However the entire file/records pertaining to Case No.MAM/PER/TNC/5/2003 is not available/traceable in office records of Mamlatdar Court. You are requested to collect the information available on record from this office on any working days during office hours."*
5. Subsequently, Appellant preferred Second appeal dated 16/12/2024 before the Commission stating that the Respondent denied information without any cause and reason. Appellant prayed for issuing direction to the Respondent to furnish information vide RTI application dated 20/03/2024 and impose penalty on Respondent for not furnishing information.

Facts Emerging in Course of Hearing

6. Pursuant to the present appeal, parties were notified fixing the matter for hearing on 01/04/2025 for which Respondent PIO appeared in person and Adv. Prachi Chodankar appeared on behalf of Appellant. The Commission directed the Respondent No. 1(PIO) to make another round of thorough search to trace the file pertaining to the information sought by the Appellant.
7. Both Appellant/representative and the Respondent PIO remained absent for the hearing held on 30/04/2025 and accordingly matter adjourned to 15/05/2025.
8. When the matter was taken up for hearing on 15/05/2025, Adv. Umesh S. Mangeshkar present for Appellant and Respondent PIO Shri. Sanjeev

Signapurkar appeared along with Ranjit Salgaonkar (FAA). Presiding Commissioner directed the PIO to file a Police Complaint enabling the Police to register an FIR as the file in question, Case No.MAM/PER/TNC/5-2003, is not traceable. FAA (Shri. Ranjit Salgaonkar, Mamlatdar, Pernem) also agreed the same.

9. Since the Respondent PIO proceeded on two weeks leave, matter adjourned to 09/06/2025 for final hearing.
10. When the matter called out for final hearing today i.e. 09/06/2025, Respondent PIO filed written submission dated 09/06/2025 along with the copy of following documents :
 - a. Report dated 21/05/2025 submitted by the Court Clerk to the Mamlatdar of Pernem stating that the information sought by the Appellant is not available in the Court of Joint Mamlatdar-I of Pernem.
 - b. Report dated 12/05/2025 submitted by the clerk, Court of Joint Mamlatdar-III to the Mamlatdar, Pernem that 'as per my chargelist, the case bearing No. MAM/PER/TNC/5-2003 is not available in the Court of Joint Mamlatdar-III of Pernem.
 - c. Report dated 12/05/2025 submitted by the clerk, Court of Joint Mamlatdar-III to the Mamlatdar, Pernem that 'as per my charge list, the case bearing No. MAM/PER/TNC/5-2003 is not available in the Court of Joint Mamlatdar-II of Pernem.
 - d. Memo dated 08/04/2025 issued by the Mamlatdar, Pernem to dealing Hand/ Court clerk of Joint Mamlatdar I, II and III of Pernem directing them to conduct a thorough search for the records pertaining to Case No. MAM/PER/TNC/5-2003 and to submit report on the same to the PIO, Office of Mamlatdar, Pernem before 30/04/2025 in order to furnish the same to the Applicant under RTI Act, 2005.
 - e. Letter dated 22/05/2025 submitted by the Mamlatdar, Pernem to the Police Inspector, Pernem Police Station requesting to register a Complaint/FIR on missing of Case No. MAM/PER/TNC/5-2003 "as a compliance to the order issued by the Hon'ble Commission". *Copy of the complaint filed at Pernem Police Station and other documents are provided to the Appellant by the PIO.*

DECISION

Since all efforts made by the Respondent PIO and Court clerks of all three Joint Mamlatdar of the Pernem taluka, North Goa District, Goa did not yield any result to trace file in respect of Case No.MAM/PER/TNC/5-2003. Respondent PIO filed a Police Complaint dated 22/05/2025, as directed by the Commission, to register an FIR on missing of the above cited false/document, and furnished a copy of the said Police Complaint as well as report from Court clerks of Joint Mamlatdar, Pernem, the present appeal does not warrant further proceedings or intervention by the Commission. Accordingly, present appeal disposed off today i.e. 09/06/2025 and proceedings stand closed.

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.

- Proceeding stands closed.
- Pronounced in open Court.
- Notify the parties.

Sd/-

(ARAVINDKUMAR H. NAIR)
State Chief Information Commissioner, GSIC