

**GOA STATE INFORMATION COMMISSION**  
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**Complaint No. 13/2025/SCIC**

Shri Govalal Patel,  
H.No. 5/49/1-10,  
Near Barkatli Building,  
Pixem Dongri, Vasco da Gama-Goa. -----Complainant  
V/s  
Public Information Officer,  
O/o. Mormugao Municipal Council,  
Municipal Bldg, Vasco da Gama-Goa. -----Opponent

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

**Relevant Facts Emerging from the Complaint**

<b>RTI application filed on</b>	- 12-09-2024
<b>PIO reply</b>	- Nil
<b>First Appeal</b>	- 24-10-2024
<b>FAA Order on</b>	- 20-11-2024
<b>Complaint received on</b>	- 04-03-2025
<b>First hearing held on</b>	- 29-04-2025
<b>Decided on</b>	- 21-05-2025

**Information sought and background of the Complaint**

1. Shri. Govalal Patel filed an application dated 12/09/2024 under RTI Act, 2005 to the PIO, Mormugao Municipal Council, Vasco Da Gama, Goa seeking following information :  
*"Furnish me full file documents of House No.121/12 situated at Mormugao Municipal Council/GL, Pixem Dongri, Vasco Da Gama, Goa stands in the name of Jaiprakash Chauhan".*
2. Failing to receive any information/reply from the PIO within the stipulated time frame of 30 days, Appellant filed first appeal dated 24/10/2024 before the First Appellate Authority(Chief Officer, Mormugao Municipal Council) stating that the PIO failed to furnish the required information as per the application, which is mandatory u/s 7(1) and (2) of the RTI Act, 2005. Appellant prayed that PIO be directed to furnish the information.

3. The matter was fixed for hearing by the FAA on 30/10/2024. With reference to the notice dated 25/10/2024 served by the FAA, PIO (Smt. Punam R. Naik, Accounts and Taxation Officer, Mormugao Municipal Council submitted in writing before the FAA that with reference to the notice dated 25/10/2024, the concerned dealing hand was directed to furnish the information/file to place before the FAA. Unfortunately, the dealing hand in his reply stated that he had made every effort to trace the relevant file but it is not traceable in records. However, further efforts will continue to trace the file in question and if found, the information will be provided to the Appellant.
  
4. First Appellate Authority(Chief Officer) issued order dated 20/11/2024 as under :
 

*"PIO shall make all the efforts to search the file at the earliest and in case the same is not traced, the missing Complaint may be filed immediately. Accordingly the Appeal is disposed off".*
  
5. Subsequently, RTI applicant Shri. Govalal Patel filed Complaint dated 04/03/2025 before the Commission stating that -
  - a. *The Opponent PIO deliberately denied information to the Complainant.*
  - b. *During the hearing before the FAA, Opponent PIO filed a vague and irrelevant reply which shows that the Opponent PIO deliberately failed to provide information.*
  - c. *FAA passed an order dated 18/11/2024 directing the PIO to make efforts to trace the file at the earliest and in case the same is not traced, the missing Complaint may be filed immediately but till date, the PIO has not made any efforts to either search the file or register a police complaint.*
  
6. Complainant prayed before the Commission to direct the Opponent to furnish correct information, free of cost, impose penalty and recommend disciplinary action against the Opponent PIO for not furnishing information and not complying with the order passed by the FAA.

**Facts Emerging in the Course of Hearing**

7. Pursuant to the filing of the present Complaint, parties were notified fixing the matter for hearing on 29/04/2025 for which, Complainant appeared in person and Adv. Pritika D. Shirodkar appeared for Opponent PIO.

Advocate for Opponent PIO filed reply to the Complaint stating that:

- i. Complaint is absolutely mischievous, baseless, vexatious, bad in law and liable to be dismissed in limine.
- ii. Complaint has come before the Hon'ble Commission with unclear hands and concealing relevant facts.
- iii. The Complaint ought to be dismissed since the Opponent has already filed a Complaint before the Vasco Police Station to inquire about the missing file and as such nothing survives in the present appeal.
- iv. There was no deliberate denial of information. Upon receiving the RTI application of the Complainant, Opponent PIO has made all attempt to trace the said House tax file through concerned dealing hand. However, the said file could not be traced and it was verbally communicated to the Complainant.
- v. Following the order passed by the FAA, fresh efforts were made by accounts section and other sections of Mormugao Municipal Council to trace the file in question.
- vi. Failing to trace the said file, Chief Officer, Mormugao Municipal Council filed a Complaint dated 12/03/2025 to the SHO/PI, Vasco Police Station requesting to conduct an inquiry into the missing of House Tax file bearing H.No.121/12.
- vii. Opponent PIO has fully complied with the order dated 18/11/2024 passed by the FAA by undertaking fresh search to trace the file followed by Police complaint after failing to trace the said file.

8. Presiding Commissioner directed the Opponent PIO to furnish the record of H.No.121/12 if available, in the records and file submission to that effect. Matter adjourned to 21/05/2025.

9. When the matter called out for further hearing on 21/05/2025, Complainant filed written arguments stating that-

- i. The Opponent failed to provide information and never informed the Complainant about the Police Complaint dated 12/03/2025 filed by the Chief Officer to the SHO/PI, Vasco Police Station requesting an inquiry into the missing of House Tax file of H.No.121/12.*
- ii. No FIR is filed in the missing of file Under Section 173 of BNSS 2023.*

Complainant prayed for necessary direction to the Opponent to furnish the information sought for Penalty and disciplinary action be initiated against the Opponent PIO for knowingly denying/withholding the information.

10. Advocate for Opponent PIO submitted that the Opponent PIO and her office made all effort to trace the file in question but it could not be traced. This development was duly conveyed to the Complainant. Since all options to trace the file exhausted, as a last resort, Chief Officer, Mormugao Municipal Council vide Complaint dated 12/03/2025 requested the Vasco Police Station to inquire into the missing of the said file.

Presiding Commissioner directed the Advocate for the Opponent to provide copy of the Complaint lodged to the Police and accordingly the copy duly served to the Complainant.

### **DECISION**

**1. Since the Opponent PIO and her office could not trace the file in question(bearing H. No.121/12 in the name of Shri. Jaiprakash Chauhan), there was no other option other than filing a Complaint to the Vasco Police Station seeking an inquiry into the missing of the above said file.**

2. By filing a Police Complaint, order dated 18/11/2024 passed by the FAA is duly complied with by the Respondent PIO and a copy of the Police complaint furnished to the Complainant during the course of the proceeding before the Commission.
3. As the Chief Officer, Mormugao Municipal Council filed a Police complaint requesting an inquiry into the missing House Tax file of H. No 121/12 after the attempt to trace the file found futile, nothing more survives in the matter on the part of Opponent PIO.

Hence, the matter does not warrant further proceedings and disposed off.

*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