

GOA STATE INFORMATION COMMISSION
Kamat Towers, Seventh Floor, Patto Plaza, Panaji Goa
Website: www.gsic.goa.gov.in Email: spio-gsic.goa@nic.in
Tel Nos. 0832- 2437208, 2437908

Appeal No. 55/2024/SCIC

Adv. Vishwas Kankonkar,
4th floor, Sunteck Kanaka Building,
Above Mardol Restaurant, 4th floor,
405, A Wing, Patto, Panaji Goa.
v/s

..... Appellant

1) The Public Information Officer,
Office of the Directorate of Health Services,
Panaji, Tiswadi Goa.

2) Director (Administration)/Estate Officer,
Admin Section, Directorate of Health Services,
Panaji – Goa.

..... Respondents

Shri Aravind Kumar H. Nair - State Chief Information Commissioner

RELEVANT FACTS OF THE APPEAL

RTI application filed on	- 24-11-2023
Respondent PIO reply	- 11-12-2023
First Appeal filed on	- 20-12-2023
First Appellate order on	- 29-01-2024
Second appeal received on	- 26-02-2024
Matter taken up for first hearing on	- 17-01-2025
Matter decided on	- 16-04-2025

Information Sought and Background of the Appeal:

- Adv. Vishwas Kankonkar filed an application dated 24/11/2023 under RTI Act, 2005 to the PIO, Directorate of Health Services, Panaji seeking following information :

"Please provide me the information/inspection/documents under RTI with respect to the property bearing Survey No. 230/1 situated at Village Goa Velha, Tiswadi, Goa of Mortgage Deed executed by Mr. Azgaonkar or any other person with Hospicio Hospital, Margao with respect to the said property or any other correspondence with the owner of the property by Directorate of Health Services or by Hospicio Hospital, Margao".

2. In response to the RTI application, PIO (Dy. Director (HIB), Shri Liladhar B. Dessai) vide letter dated 11/12/2023 replied that "*with reference to your application inward dated 24/11/2023, the information called for is enclosed (Form No. I & XIV of property bearing Survey No. 230/1 at Village Goa Velha (Tiswadi) and no Mortgage Deed is executed by the Directorate of Health Services*".
3. Aggrieved by the reply furnished by the PIO, Appellant filed first appeal dated 20/12/2023 to the First Appellate Authority requesting to direct the PIO to furnish the documents/inspection of the files mentioned in the RTI application.
4. FAA (Dr. Geeta Kakodkar, Director of Health Services) vide Order dated 29/01/2024 directed the Respondent PIO to furnish a fresh reply to the Appellant alongwith documents, if any, free of cost, within 10 days from the receipt of the order. The Respondent PIO also directed to provide inspection of document/file as desired by the Appellant within 10days.
5. Subsequently, Appellant preferred second appeal dated 26/02/2024 before the Commission on the ground that despite order passed by the FAA on 29/01/2024, the Respondent PIO failed to comply with the order. Appellant prayed before the Commission that Respondent PIO be directed to allow the Appellant to inspect documents/files and furnish documents, free of cost, upon inspection.

FACTS EMERGING IN COURSE OF HEARING

6. Pursuant to the present appeal, parties were notified fixing the matter for hearing on 17/01/2025, for which Appellant and Respondent PIO appeared in person. Commission directed the Respondent PIO to conduct a thorough search for the concerned file sought by the Appellant and allow the Appellant to inspect the same once it is traced.
7. During the hearing on 27/01/2025, Respondent PIO submitted that the concerned file has been traced but inspection was not held as the Appellant did not turn up for inspection. Matter adjourned to 18/02/2025.

8. Appellant and Respondent PIO appeared in person for hearing on 18/02/2025. Respondent PIO submitted that he is willing to provide inspection of file by the Appellant and Commission directed the parties to fix a mutually convenient date for inspection by the Appellant.
9. When the matter took up for further hearing on 13/03/2025, Appellant submitted that inspection of file could not be carried out as the concerned officer was not present on the day fixed for inspection. Commission directed the Respondent PIO to fix inspection at 11:30 a.m. on 19/03/2025 and ensure the presence of the concerned officer for the inspection.
10. Matter was taken up for further hearing today i.e. 16/04/2025. Appellant and Respondent PIO appeared in person. Appellant submitted that as directed by the Hon'ble Commission, he has inspected the concerned file which does not contain any Mortgage Deed or Ownership documents in respect of property bearing Survey No.230/1, Village Goa Velha, Tiswadi Taluka- Goa.
11. Respondent PIO vide letter dated 11/12/2023 had furnished the reply dated 06/12/2023 received from the APIO enclosing Form I and XIV of property bearing Survey No. 230/1, Goa Velha Village, Tiswadi and informing that no Mortgage Deed is executed by the Directorate of Health Services.
12. Appellant submitted that during the inspection of the concerned file on 19/03/2025, no documents pertaining to the ownership of the property was found and it was not mentioned by the Respondent PIO.

Accordingly, Commission directed the Respondent PIO to furnish fresh reply and Respondent PIO promptly furnished fresh reply dated 16/04/2025 received from the APIO and countersigned by the Respondent PIO enclosing Form I and XIV of property bearing Survey No. 230/1 situated at Village Goa Velha, Tiswadi and disclosing that no ownership documents in respect of the said property are available with the Directorate of Health Services Panaji-Goa.

DECISION

Since the Respondent PIO arranged inspection of files by the Appellant on 19/03/2025 and furnished fresh reply dated 16/04/2025 clarifying that no ownership documents are available with the Directorate of Health Services, Panaji, Goa, the present Appeal No. 55/2025/SCIC does not warrant further proceedings and matter disposed off today i.e. 16/04/2025.

- Proceedings stands closed.
- Pronounced in the open court.
- Notify the parties.

Sd/-

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