

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

**CORAM:** Shri M. S. Keny, State Chief Information Commissioner

**Appeal No.134/SCIC/2011**

Shri Saude Noronha,  
R/o.H. No.219, Veroda,  
Cuncolim,  
Salcete - Goa

... Complainant

**V/s**

1. The Public Information Officer,  
O/o. the Inspector of Land & Survey Records,  
Osia Complex,  
Margao, Salcete-Goa

2. The Director of Settlement of Land Records,  
(First Appellate Authority)

O/o. the Director of Settlement of Land Records,  
Panaji – Goa

... Respondents

Complainant present. His advocate R. Faldessai present  
Respondent No.1 present.

Respondent No.2 present through his representative  
Shri D. V. Pednekar

**J U D G E M E N T**

(12/10/2011)

1. The appellant, Shri Saude Noronha, has filed the present appeal praying that the respondent No.1 be directed to furnish the information sought for in his letter dated 09/02/2011 and that disciplinary action against the respondents be initiated.

2. The brief facts leading to the present appeal are as under:-

That the appellant, vide his application dated 09/02/2011 sought certain information under Right to Information Act 2005 ('R.T.I. Act for short) from the Public Information Officer (P.I.O.)/Respondent No.1. That by reply dated 22/02/2011, the respondent No.1 furnished the information stating that no DC was involved. That the respondent No.1 failed and/or refused to furnish the information sought for in terms of appellant's letter dated 09/02/2011 which is clearly revealed by the said reply. Being aggrieved the appellant preferred an appeal before the First Appellate Authority (F.A.A.)/respondent No.2. By order dated 19/04/2011 the F.A.A. ordered that question has been answered and that there is no ground for appeal. Being aggrieved by the order passed by the F.A.A./respondent No.2, the appellant has filed the present appeal on various grounds as set out in the memo of appeal.

3. The respondents resist the appeal and the reply of respondent No.1 and 2 are on record.

It is the case of the respondent No.1 that respondent No.1 replied to the application of the appellant by letter dated 22/02/2011 informing that promulgation of survey No.42/3 was done at the time of survey and hence there is no DC involved with regard to survey No.42/3 of village Veroda, Taluka Salcete. The respondent No.1 also refers to the appeal preferred and order passed by F.A.A. In short, according to respondent No.1 information is furnished and as such appeal is liable to be dismissed.

It is the case of the respondent No.2 that appeal was filed and the same was disposed off by respondent No.2. According to the respondent No.1 second appeal does not merit any consideration and is liable to be dismissed.

4. Heard the learned Adv. Shri R. Faldessai for appellant and the respondent No.1 and Shri D. V. Pednekar, representative of respondent No.2 and perused the records.

It is seen that by application dated 09/02/2011, the appellant sought certain information as under:-

“Whether any disputed case transpired prior to promulgation of the Survey records? If yes, kindly furnish the certified copies of the judgement and order along with entire proceeding sheet.”

By reply dated 22/02/2011, the A.P.I.O. informed that the promulgation of survey No.42/3 was done at the time of survey and hence there is no DC involved with regard to survey No.42/3 of village Veroda Taluka Salcete. It appears that appellant was not satisfied with the information furnished so he preferred Appeal before F.A.A. By order dated 18-4-2011 the F.A.A. held that question has been answered and hence there is no ground for appeal.

It is thus seen that the information has been furnished stating that no DC was involved.

5. During the course of arguments, it was pointed to the appellant that there was no DC and that promulgation of survey was done at the time of survey. The appellant was satisfied.

6. Since information is furnished, no intervention of this Commission is required. However, if the appellant has any grievance as such the appellant to appear before competent Authority.

7. In view of all the above, I pass the following order.

**O R D E R**

No intervention of this Commission is required since the information is furnished. The appeal is disposed off.

The appeal is accordingly disposed off.

Pronounced in this Commission on this 12<sup>th</sup> day of October, 2011.

**Sd/-**  
**(M. S. Keny)**  
State Chief Information Commissioner

