

# **GOA STATE INFORMATION COMMISSION**

**“Shrama Shakti Bhavan”, Ground Floor, Patto Plaza, Panaji – Goa.**

**CORAM:** Smt. Leena Mehendale, State Chief Information Commissioner

**Appeal No. 10/SCIC/2014**

**Decided on: 10/11/2014**

Mr. Felix D’Souza  
Biunca, Cuncolim  
Salcete – Goa.

V/s

The Public Information Officer,  
Mamlatdar of Salcete,  
O/o The Mamlatdar,  
Margao, Salcete – Goa.

## **ORDER (Open Court)**

RTI application dated	:	11/09/2013
PIO reply dated	:	09/09/2013
First Appeal dated	:	14/10/2013
FAA Order dated	:	25/11/2013
2 <sup>nd</sup> Appeal filed on	:	30/01/2014

1) This case has a small compass. Appellant herein has some complaint about mutation entry No. 38322 dated 01/01/2013 at Village – Cuncolim Taluka – Salcete. He asked under RTI for Certified copy of the original application filed by Mrs. Lina D’Souza whose name has been entered in the “Other Rights” column to the above mutation entry. A reply was given to him on 19/09/2013 in which these details were not supplied. The First Appellate Authority has recorded as below,

2) *“The Appellant desires the details of the sale deed. The Mamlatdar/PIO is directed to issue copy/extact of the Form IX (Register of mutation) for the concerned mutation case to the Appellant which would cater to his needs. The Appellant agreed to this arrangement and requested to dispose the first appeal accordingly.”*

3) Accordingly the PIO issued certified copy of Form No. IX. It states as below –

*“Applicant Lina D’Souza, R/o H.No. 765, Biunca Cuncolim Salcette – Goa, requested to include her name in other Rights Coloumn of the property surveyed under Survey No. 661/4 of Village Cuncolim of Salcete Taluka after deleting the existing name of Manuelino Almaida from Other Right Columnn by virtue of Deed of Sale under Registration No. 656 dated 30/11/1981.*

*Received by: Joint Mamlatdar II, Salcete*

***Order by Certifying Officer:***

*Mutation entry certified as per true copy of NOC submitted by the President of Sociedade de Agricola de Cuncolim e Veroda.*

*Mutation entry duly certified by J. B. Fernandes, (Joint Mamlatdar II, Salcete) on 01/01/2013.”*

4) When the Appellant tried to seek details of the sale deed from the Office of the Sub-Registrar he was informed that it is not possible to locate the concerned register simply on the basis of the serial number of sale deed which is given as No. 656 dated 30/11/1981, The description is incomplete unless it gives any information about the Volume No., The book No., the page No. in the document of registration.

5) The First Appellate Authority has ignored the fact that Form No IX issued to the present Appellant itself appears to be incomplete as it does not give any information about the Volume No., The book No., the page No. in the document of registration but mentions only the Registration No. 656. Thus it leaves a possibility open that the document may not be authentic. It also indicates that the person noting the mutation application and the person certifying it was careless in not identifying complete sale deed details.

6) The matter is therefore remanded to the First Appellate Authority, who is also the deputy Collector of Margao and therefore also the authority to inspect the revenue records and point out the lacunae in certifying the mutation entries. Since the said mutation entry is of a recent origin (1/1/2013), it should be possible to get these details added to form No. IX by calling for and inspecting the sale deed from Mrs. Lina D'Souza. FAA, in his capacity as Dy. Collector of Margao is given 60 days to comply with these directions.

**- - ORDER - -**

With these directions to the First Appellate Authority this Appeal is disposed as allowed and remanded back to FAA for disposal within 2 months from receiving this order. Declared in open Court.

Sd/-

**(Leena Mehendale)**

Goa State Chief Information Commissioner

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Panaji-Goa