

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 281/SIC/2008

Shri Gajanan D. Phadte,
898, Nila Niwas, Alto Torda,
Porvorim,
P. O. 403 521

... Appellant.

V/s.

1) The Public Information Officer,
Mamlatdar, Bardez,
Mapusa – Goa

... Respondent No. 1

2) The First Appellate Authority,
Dy. Collector & SDO,
Bardez,
Mapusa - Goa

... Respondent No. 2

Appellant in person.

Respondent No. 1 present in person.

Appeal No. 288/SIC/2008

Shri Gajanan D. Phadte,
898, Nila Niwas, Alto Torda,
Porvorim,
P. O. 403 521

... Appellant.

V/s.

1) The First Appellate Authority,
Collector & District Magistrate,
North Goa, Panaji – Goa

... Respondent No. 1

2) The Public Information Officer,
Additional Collector,
O/o. the Collector,
North Goa District,
Panaji - Goa

... Respondent No. 2

Appellant in person.

Shri Gaude for Respondent No. 1 and Respondent No. 2.

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COMMON JUDGMENT

(Per Afonso Araujo)

Since the information sought by the Appellant in appeal No. 281/SIC/2008 and appeal No. 288/SIC/2008 is on the same issues and the Respondent No. 1 (hereinafter to be referred as "the Respondent") provided the information sought in appeal No. 281/SIC/2008 as well as, on transfer from Respondent No. 2 in appeal No. 288/SIC/2008, both the appeals are disposed by this common judgment.

2. The Appellant on 03.10.2008 sought the following information under the Right to Information Act, 2005:

- (a) to set right forged/defrauded Land Revenue Records;
- (b) to annul forged IX & XIV/NA Sanad issued/used as genuine;
- (c) to annul uncertified disputed Mutation Entry No. 1873;
- (d) to certify malafidely delayed Entry No. M/4259/98;
- (e) to grant me permission to file FIR against defrauders;
or;
- (f) to book negligent Revenue Officials indulged in forgery/fraud of vital Land Revenue Records, by the Govt.

3. The request dated 03.10.2008 pertains to mutation case No. M/4259/98 and upon perusing the above mentioned request at serial no. (a) to (f) it indicates that the Appellant requires that the Respondent set right forged Land Revenue Records, annul the Sanads issued, grant permission to file FIR and book negligent Revenue Officer. This request does not fall within the definition of information under the RTI Act. The Respondent can provide information only from the records and it is not for him to decide whether any particular document

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is forged or not and take action on those persons who forged any documents. Moreover, by letter dated 30.03.2009 the Respondent replied to the points (a) to (f) to the request of the Appellant dated 03.10.2008 stating that direction for order is required from the higher authorities for annulment and the Right to Information Act is not applicable for the purpose of taking any action. In such circumstances, there is no merit in these appeals, hence the following order:

ORDER

The appeals are dismissed.

Pronounced on this 05th day of November, 2009.

Sd/-
(Afonso Araujo)
State Information Commissioner

