

GOA INFORMATION COMMISSION

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.

Appeal No. 139/2007-08/Mam.

Shri. Chandrakant S. Naik,
Chaitanya Niwas,
Ambaji Fatorda, Margao – Goa.

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Appellant.

V/s.

1. Public Information Officer,
The Mamlatdar of Mormugao Taluka,
Office of the Mamlatdar,
Vasco da Gama – Goa.
2. First Appellate Authority,
The Deputy Collector & SDO,
Mormugao Taluka,
Vasco da Gama – Goa.

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Respondents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner
&
Shri G. G. Kambli
State Information Commissioner

(Per A. Venkataratnam)

Dated: 09/07/2008.

Appellant in person.

Respondent No. 1 is in person.

Respondent No. 2 is absent.

ORDER

This case has come up before us earlier. An interim order was passed on 08/05/2008 giving a direction to the Dy. Collector, Vasco-da-Gama, Respondent No. 2 herein, to inspect the office of the Mamlatdar of Mormugao Taluka, Respondent No. 1 herein, to locate missing case files and submit a report. The missing cases are five in number, one tenancy case 11/92 and four mutation cases 46, 905, 859 and 870 of survey No. 158/1 of Quelossim village, Mormugao Taluka. The Dy. Collector inspected the office and gave a report stating that tenancy case No. 11/92 is not found even after strenuous efforts of searching. However, a copy of the order of the then Mamlatdar passed in that case is available in a mutation case. This may be given to the Appellant if it is not already provided.

2. In respect of four other mutation cases, he has submitted that mutation case No.905 is merged with mutation case No. 859. We do not know what it means but however, we take that both cases are actually only one and same case. The details asked for by the Appellant as available in this case should be given to him on payment

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of fees. Regarding the mutation case No. 870 is not available but according to the Dy. Collector and the inquiry conducted by him, it is a "mistake of the Talathi". The mutation case No. 46 is also mistake in the sense that it is the serial number of the occupants' column of the survey Form I & XIV of the survey No. 158/1. It is not a separate mutation case.

3. A show cause notice was also given to the Public Information Officer, the Respondent No. 1 herein, and one Shri. G. S. Kuttikar who is the present Mamlatdar has replied to it. His main contention is that he has put in lot of efforts in searching all the records and that he has dealt "with the case with clean hands". He has also made inventory of case files in his office. We only hope that all the records should be indexed and stored properly so that the required documents can be taken out easily as and when required. Though, we do not hold him responsible for the misplacement of the tenancy cases and other documents, he is no doubt responsible for the maintenance of the records now, as they exist in his office. We accept his plea and drop further proceedings in this case. All the papers requested by the Appellant should be given to him in about 15 more days. We have no confirmation of this because the Appellant remained absent on the last hearing. We also direct the Collector of South Goa District to conduct an enquiry into the missing files of tenancy case No. 11/92 and take appropriate action against the erring official(s) within a period of six months. The case stands disposed off in the above terms.

Pronounced in the open court, on this 9th day of July, 2008.

Sd/-
(A. Venkataratnam)
State Chief Information Commissioner

Sd/-
(G. G. Kambli)
State Information Commissioner