

BEFORE THE GOA INFORMATION COMMISSION
PANAJI – GOA

Complaint No: 65/2006.

Shri Ulhas N. Sardesai
Shivayan Appts.
Float No.F/3
Fatorda - Goa

.... Complainant.

V/s

1. The Public Information Officer
Under Secretary (Health – I)
Secretariat,
Porvorim - Goa

.... Opponent No. 1

CORAM:

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

(Per G.G. Kambli)

Dated: 06/06/2007

Complainant in person.

Opponent absent at the time of hearing.

O R D E R

This is a Complaint filed by the Complainant on 13/03/2007 under section 18 of the Right to Information Act 2005 (herein after referred to as Act) against the Opponent. The case of the Complainant is that the Complainant while in the service obtained the house building advance of Rs. 1,05,000 from the Public Health Department, Government of Goa by mortgaging his flat in the year 1991.

2. The Complainant States that by his two letters dated 26/07/2006 and 26/12/2006, submitted through proper channel, requested the Opponent to return the original mortgaged deed and to issue no due certificate. Thereafter the Complainant moved an application dated 19/01/2007 to the

....2/-

Opponent under the Act seeking action taken report on his earlier letters. As the Complainant did not receive any response from the Opponent, the Complainant filed the present Complaint.

3. The notices were issued to the Opponent and the Opponent filed the reply stating that the letters referred to by the Complainant have not been received by the Opponent's office. However, on receipt of the notice of this Commission, the Opponent traced out immediately the relevant records and sent the letter dated 04/04/2007 to the Civil Registrar – cum- Sub Registrar, Salcete Taluka requesting to return the deed of mortgage which was sent to them on 29/04/1991 under receipt No.1 Sr. No.819 (Form 'T').

4. The Opponent also wrote a letter on the same day to the Director of Health Services requesting the letter to send 'No dues certificate'. The copies of both these letters were endorsed to the Complainant.

5. The Complainant forwarded all his 3 letters including the letter dated 17/1/2007 under the Act through proper channel. No evidence has been produced by the Complainant to prove that these 3 letters received by the Opponent. Nonetheless, the Opponent has already initiated the action and written the letters to the sub Registrar as well as to the Director of Health Services.

6. Hence, we direct the Opponent to follow up the matter with the Sub Registrar Salcete Taluka as well as with the Director of Health Services and see that the mortgage deed is returned to the Complainant within 2 months if the Complainant has repaid total amount of House building advance with interest, as claimed by him.

Parties be informed.

Shri G. G. Kambli
State Information commissioner

Shri A. Venkataratnam
State Chief Information Commissioner

