

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

**CORAM:** Shri Afonso Araujo, State Information Commissioner

Appeal No. 41/SIC/2010

Allan Faleiro,  
H. No. 400, Toleband,  
Loutolim, Salcete,  
GOA – 403 718

... Appellant.

V/s.

Public Information Officer,  
Captain of Ports Department,  
Panaji – Goa

... Respondent.

Appellant in person.  
Respondent in person.

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

(Per Afonso Araujo)

The Appellant by request dated 17.11.2009 sought the following information under RTI Act:

- 1) Certified copy of all No Objection certificates issued or renewed under section 30 of the Indian Ports Act by the Captain of Ports Department for temporary or permanent activities of moorings, concrete jetties, floating pontoon jetties, loading jetties, workshops, slipways, dry-docks, etc. in the rivers, canals, or bank of the rivers of Goa from 15-09-2005 till date.
- 2) Certified copies of application dated 14-07-2008 and copies of documents enclosed/project report based on which the NOC no. 11017/Mooring Dolphin/2167 dated 21-07-2007 was issued.

By communication dated 09.12.2009 the Respondent requested the Appellant to be specific on the information at Sr. No. 1 and in respect of Sr. No. 2 certified copy of the application dated

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14.07.2008 received from M/s. Goa Coastal Resort and Recreation Pvt. Ltd. was provided. Not content with the information provided the Appellant preferred First Appeal and by Order dated 29.01.2010 directed the Respondent to re-examine the matter and furnish up-to-date information to the Appellant. The Respondent, based on the assistance from the office dated 19.02.2010, provided the information on 02.03.2010 in compliance to the Order of the First Appellate Authority. Again, the Appellant not satisfied with the information provided preferred this Appeal.

2. The contention of the Appellant is that the information at Sr. No. 2 has been provided but the reply of the Respondent to the information at Sr. No. 1 that the information is voluminous in nature is not correct. It appears that the Respondent sought the assistance under section 5(4) of the RTI Act from the concerned section in the Department and informed the Appellant that the information at Sr. No. 1 is voluminous and requires the Appellant to inspect the files. On perusing the information at Sr. No. 1 the Appellant required only the NOC from 15.09.2005 to the date the information was sought on 17.11.2009. Since it is only the NOC it does not appear to be voluminous and the Officer from whom the Respondent sought assistance requires to provide this information at Sr. No.1 to the Appellant. Hence, the following Order:

**ORDER**

The Appeal is allowed.

The Respondent – Public Information Officer or the Deemed Public Information Officer to provide the

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information at Sr. No. 1 to the request dated 17.11.2009 within the period of fifteen days from the date of receipt of the Order.

Pronounced on this 30<sup>th</sup> day of June, 2010.

Sd/-  
(Afonso Araujo)  
State Information Commissioner

