

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

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

Complaint No.112/SIC/2009

Shriram S. P. Raiturkar,  
C/o. Adv. S. P. Raiturkar,  
Opp. State Bank of Mysore,  
Margao – Goa

... Complainant.

V/s.

Public Information Officer,  
Dy. Director of Panchayats (North),  
Junta House,  
3<sup>rd</sup> Lift, 3<sup>rd</sup> Floor,  
Panaji - Goa

... Opponent.

Complainant in person.  
Opponent absent.

Dated: 09.06.2010

**ORDER**

The Complainant on 11.09.2009 sought information under RTI Act from the Public Information Officer-Block Development Officer, Margao and requires inspection of all the files pertaining to Panchayat Appeal No. 88/2008 before the Additional Director of Panchayats between M/s Santa Fe Realty Pvt. Ltd., and Village Panchayat of Nuvem. Since the matter was pertaining to the Appeal before the Additional Director of Panchayat, Margao the information sought was transferred to the Public Information Officer - the Opponent and by letter dated 16.10.2009 the Opponent called upon the Complainant for inspection of the files. After the inspection on 24.10.2009 the Complainant required: (i) Notings/Roznama (4 pages) (ii) Reply of the Respondent dated 05<sup>th</sup> March, 2009 alongwith certified copy of the wakalatnama of the advocate of Respondent. (iii) Appellant's submissions dated 15<sup>th</sup> October 2008.

...2/-

2. By communication dated 23.11.2009 the Opponent informed the Complainant that it was brought to the notice of M/s. Santa Fe Realty Pvt. Ltd and Village Panchayat Nuvem that the Complainant has requested for the copies in respect of Appeal No. 88/2009. As the Complainant is not a party to the said case and that M/s. Santa Fe Realty Pvt. Ltd. by letter dated 16.10.2009 has raised objection for furnishing certified copies to the Complainant, the Opponent rejected the application as a third party information.

2. The provision of section 11 of the RTI Act deals with third party information. No doubt that the Complainant is not a party in the case pending between M/s. Santa Fe Realty Pvt. Ltd., and Village Panchayat, Nuvem. But in case the Appeal is disposed off, the Complainant is entitled for the records of the said Appeal. Otherwise, if the appeal is pending, the Complainant is not entitled for any document until the case reaches finality. Nothing is there on record to indicate that the case is disposed off and in such circumstances the Opponent to provide the information required at (i), (ii) and (iii) in the request dated 24.10.2009 in case No. 88/2009 if it is finally decided by the Additional Director of Panchayat, Margao.

With these observations, the Complaint is disposed off.

Sd/-  
(Afonso Araujo)  
State Information Commissioner