

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

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

Appeal No. 110/SIC/2010

Mr. Domnic D;souza,  
H. No. 315/4, Tropa Vaddo,  
Sodiem,  
Siolim Goa

... Appellant.

V/s.

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

... Respondent No. 1.

2) The First Appellate Authority,  
Dy. Collector & S.D.O.,  
Mapusa – Goa

... Respondent No. 2.

Representative of the Appellant.

Respondent No. 1 in person.

Kum. Shama Narvekar for Respondent No. 2.

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

(Per Afonso Araujo)

On the strength of a complaint dated 08.10.2009 moved by the Appellant regarding a construction of a compound wall without obtaining the necessary N.O.C., conversion sanad, in the property belonging to Leao Dias and bearing Survey No. 271/32 of Village Sodiem, Siolim, a Memorandum dated 12.10.2009 was issued by Dy. Collector, Mapusa directing the Respondent No. 1 to conduce site inspection and file the check-list if the construction is without conversions sanad. Based on the said Memorandum the Appellant by request dated 20.11.2010 sought information under RTI Act and requires:

- 1) Certified copy of the site inspection report of the said site of the Talathi at V.P. Sodiem filed before the Mamlatdar of Bardez.
- 2) Certified copy of the check-list filed by the Mamlatdar of Bardez before the Dy. Collector, Mapusa.

...2/-

2. As the information was not provided within the period of thirty days, the Appellant on 12.03.2010 approached the First Appellate Authority with the First Appeal. Respondent No. 1 in response to the notice on 25.03.2010 filed before the First Appellate Authority a reply and produced a letter dated 04.03.2010. In the reply the Respondent No. 1 stated that the information sought by the Appellant had been kept ready by letter dated 04.03.2010 and to collect the same but the Appellant did not collect the information provided. The Appellant on the ground that the information given was not pertaining to the information sought on 20.01.2010, preferred this Second Appeal.

3. In fact the information sought by Appellant pertains to Survey No. 271/32, Sodiem, Siolim Village belonging to one Leao Dias. Though the information provided is in respect of the property of Leao Dias, the survey number differs. The Appellant requires the information in respect of Survey No. 273/32 whereas the Respondent produced the check-list dated 14.01.2010 in respect to survey No. 273/90. In such circumstances the proper course is to direct the Respondent to decide the application dated 20.01.2010 afresh and in accordance to the provisions of RTI Act.

With the above observations, the following Order:

**ORDER**

The Appeal is allowed.

The Respondent to decide the application dated 20.01.2010 within the period of twenty days from the date of receipt of the Order and report compliance on 16.08.2010.

Pronounced on this 14<sup>th</sup> day of July, 2010.

**Sd/-**  
**(Afonso Araujo)**  
**State Information Commissioner**

