

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 12/SCIC/2009

Shri Joaquim Antonio Brito,
Y-1, 5th Floor,
Chamundi Apartments,
Margao - Goa

... Appellant.

V/s.

1) The First Appellate Authority
Chief Engineer,
Water Resources Department,
2nd Floor, Junta House,
Panaji – Goa

... Respondent No. 1.

2) The Public Information Officer
Superintending Engineer,
Water Resources Department,
4th Floor, Junta House (Annexe),
Panaji - Goa

... Respondent No. 2.

3) Assistant Public Information Officer,
Executive Engineer, Works Division II,
Water Resources Department,
Gogol, Margao – Goa

... Respondent No. 3.

Appellant in person.

Shri K. Bhagat for Respondent No. 2.

Dated: 19.07.2010

ORDER

The Appellant on 03.10.2008 sought information from the Public Information Officer, Works Division II, Water Resources Department, Margao and enumerated at Sr. No. 1 to 21 pertaining to the Land Acquisition for development of Government Village School Playground (Addl. Area) at Curtorim, Salcete Taluka, Goa, survey No. 215/6 and 7 in property 'Soddo' and 'Perneam Numoxi' adjoining to survey No. 213/1 presently football ground/gymnasium at Curtorim. The Respondent No. 2 on 24.10.2008 informed the Appellant to deposit an amount of Rs. 36/- for the information sought and on

...2/-

03.11.2008 the Respondent No. 2 provided the information to Sr. No. 1 to 21 to the request dated 03.10.2008. Not satisfied with the information provided the Appellant preferred First Appeal on 23.01.2009 and by Order dated 10.02.2009 the First Appellate Authority directed the Respondent No. 2 to give the information in respect of item No. 9 to 11 within fifteen days by acquiring the same from the Directorate of Sports and Youth Affairs and as regard to information at item No. 21, directed to provide information on the balance works to be carried out in the near future in connection with nullah to be sent to the Appellant within the period of fifteen days. Accordingly, the Respondent No. 2 on 25.02.2009 in compliance to the Order of the First Appellate Authority provided the required information. Still not content with the information provided, the Appellant preferred this Second Appeal.

3. The information to be provided by the Public Information should be from the records and the Respondent No. 2 provided information on 03.11.2008 to the request dated 03.10.2008 at Sr. No. 1 to 21 as well as in compliance to the Order of the First Appellate Authority dated 10.02.2009. In the reply dated 03.11.2008 the Respondent No. 2 has stated that as the question No. 9, 10 and 11 were pertaining to the Directorate of Sports and Youth Affairs, the application was transferred u/s. 6(3) (1) of RTI Act to the said Public Authority. In the request dated 03.10.2008 the Appellant requires at Sr. No. 9) the area in survey No. 215/6 and 7 acquired by Directorate of Sports and Youth Affairs and balance area not procured by Directorate of Sports and Youth Affairs; at Sr. No. 10) copy of payment made by Directorate of Sports and Youth Affairs to the owner of the land before undertaking/commencement of the work in the above properties; and at Sr. No. 11) number of trees in the acquired land indicating the timber and fire wood quality trees. It

may be pointed out here that the information sought at Sr. No. 9, 10 and 11 corresponds to the information sought at Sr. No. 12, 13 and 14 in Appeal no. 271/SIC/2008 filed by the Appellant and the Public Information Officer in the Directorate of Sports and Youth Affairs is the Respondent. An Order has been passed in that Appeal No. 271/SIC/2008 to provide that information at Sr. No. 12, 13 and 14 by the said Public Information Officer of the Directorate of Sports and Youth Affairs.

4. Considering the fact that the information sought at Sr. No. 1 to 21 to the request of the Appellant dated 03.10.2008, except the information at Sr. No. 9, 10 and 11, the Respondent provided the rest of the information; the fact that information at Sr. No. 9, 10 and 11 was transferred to the Directorate of Sports and Youth Affairs and which is the same sought at Sr. No. 12, 13 and 14 of the request dated 03.10.2008 by the Appellant in Appeal No. 271/SIC/2008 and the fact that the Public Information Officer of Directorate of Sports and Youth Affairs was directed to provide the information at Sr. No. 12, 13 and 14 in the Order passed in the said Appeal No. 271/SIC/2008, there is no question of directing the Public Authority of Directorate of Sports and Youth Affairs to provide the information at Sr. No. 9, 10 and 11 to the request of the Appellant dated 03.10.2008 in this Appeal.

With these observations, the Appeal is disposed off.

Sd/-
(Afonso Araujo)
State Information Commissioner