

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 271/SIC/2008

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

... Appellant.

V/s.

1) The First Appellate Authority
Director of Sports & Youth Affairs,
Campal,
Panaji – Goa

... Respondent No. 1.

2) The Public Information Officer
Asst. Director of Sports & Youth Affairs,
Campal,
Panaji – Goa

... Respondent No. 2.

3) Assistant Public Information Officer,
Accounts Officer,
Directorate of Sports & Youth Affairs,
Campal,
Panaji – Goa

... Respondent No. 3.

Appellant in person.

Respondent No. 2 in person.

Appeal No. 274/SIC/2008

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

... Appellant.

V/s.

1) Director of Sports & Youth Affairs,
Campal,
Panaji – Goa

... Respondent No. 1.

2) Asst. Director of Sports & Youth Affairs,
Campal,
Panaji – Goa

... Respondent No. 2.

Appellant in person.

Respondent No. 1 in person.

COMMON JUDGMENT

The Appeal No. 271/SIC/2008 and Appeal No. 274/SIC/2008 is disposed off by Common Judgment since the Appellant in both the Appeals and Respondent No. 2 in Appeal No. 271/SIC/2008 and Respondent No. 1 in Appeal No. 274/SIC/2008 are the same (hereinafter referred as the 'Respondent').

2. The Appellant sought information under RTI Act on 03.10.2008 (Appeal No. 271/SIC/2008) items mentioned at Sr. No. 1 to 24 and on 17.10.2008 (Appeal No.274/SIC/2008) at Sr. No. 1 to 16. The Respondent by communication dated 28.10.2008 stated that the information sought in request dated 03.10.2008 and 17.10.2008 pertains to the year 1991 and many years have passed and the Department needs more time of one month to trace the same.

3. The Respondent on 19.11.2008 and in reference to the application dated 17.10.2008 (Appeal No. 274/SIC/2008) provided the information at Sr. No. 1, 2, 3, 4 and 5. Subsequently, on 19.01.2009 the Respondent provided the remaining information at Sr. No. 6 to 16 of the request dated 17.10.2008.

4. The Respondent on 19.01.2009 provided the information to the request dated 03.10.2008 (Appeal No. 271/SIC/2008) at Sr. No. 1 to 9 and in respect to information at Sr. No. 10 to 24 stated that the same would be provided by the Water Resource Department. The latter by letter dated 24.12.2008 provided the information at Sr. No. 7, 10, 11, 15 to 24 and stated that the question at Sr. No. 1 to 6, 7, 12 to 14 pertains to the Directorate of Sports and Youth Affair.

5. The information to be provided by the Public Information Officer should be from the records of the concerned Public Authority.

The Respondent by communication dated 19.11.2008 initially provided the information to Sr. No. 1 to 5 sought by the Appellant in the request dated 17.10.2008 (Appeal No. 274/SIC/2008) and thereafter on 19.01.2009 to the remaining information sought at Sr. No. 6 to 16. In respect to information sought in the request dated 03.10.2008 (Appeal No. 271/SIC/2008), the Respondent provided the information on 19.01.2009 at Sr. No. 1 to 9 and in respect to Sr. No. 10 to 24 the Water Resources Department was directed to provide the information. It appears that the Water Resources Department by letter dated 24.12.2008 provided the information at 7, 10, 11 and 15 to 24 and at Sr. No. 1 to 6 informed the Respondent that the information at Sr. No. 1 to 6, 8, 9, and 12 to 14 pertains to Directorate of Sports and Youth Affairs. In fact, the Respondent already provided the information at Sr. No. 1 to 6, 8 and 9 in the letter dated 19.01.2009 and the information which remained to be given by the Respondent is at Sr. No. 12 to 14.

6. The Respondent provided the information at Sr. No. 1 to 24 of the request dated 03.10.200 except at Sr. No. 12, 13 and 14. The information sought at Sr. No. 12 the Appellant requires 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. 13) 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. 14) number of trees in the acquired land indicating the timber and fire wood quality trees. Though the information at Sr. No. 10 to 24 was referred to the Water Resources Department, it was accordingly answered except the information at Sr. No. 12, 13 and 14 which the Water Resources Department referred back to be provided

:: 4 ::

by the Directorate of Sports and Youth Affairs and the Respondent is required to provide this information to the Appellant. Hence, the following Order:

ORDER

The Appeal No. 271/SIC.2008 is partly allowed.

The Respondent No. 2 to provide the information at Sr. No. 12, 13 and 14 of the request dated 03.10.2008 to the Appellant within twenty days from the date of receipt of the Order.

The Appeal No. 274/SIC/2008 is disposed off.

Pronounced on this 19th day of July, 2010.

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