

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

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

Appeal No. 38/SIC/2010

Shri G. D. Phadte,  
898, Nila Niwas, Alto Torda,  
Porvorim – 403 521

... Appellant.

V/s.

1) The Public Information Officer  
Secretary,  
Penha de Franca Village Panchayat,  
Britona,  
Bardez – Goa

... Respondent No. 1.

2) The First Appellate Authority,  
Block Development Officer,  
Bardez,  
Mapusa - Goa

... Respondent No. 2.

Appellant in person.  
Respondents absent.

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

(Per Afonso Araujo)

The Appellant by request dated 23.11.2009 sought information pertaining to the Show Cause Notice No. VP/PDF/013/08-09/2615 dated 30.01.2009 of Village Panchayat Penha de Franca and requires action taken, correspondence exchanged, resolution and proceedings recorded pursuant to the said Show Cause Notice and also inspection of the records.

2. As the Respondent did not provide the information required inspite of reminders dated 01.12.2009 and 14.12.2009, preferred the First Appeal and by Order dated 13.01.2010 the First Appellate Authority directed the Respondent to provide the information within seven days. The Respondent by letter dated 13.10.2010 in reference to the said Show Cause Notice to Shri Amt. M. Govekar informed that the Village Panchayat has not taken any further action in the matter. Aggrieved by this information the Appellant preferred this Second Appeal.

...2/-

3. During these proceedings the Respondent at the hearing on 09.06.2010 produced letter dated 07.06.2010 addressed to the Appellant stating that the Panchayat after receipt of the reply letter dated 26.12.2009 from K. H. Bhonsle has decided to regularize the construction of residential building in survey No. 140/5 of Penha de Franca Village and it was reported to the Dy. Director of Panchayat by letter No. VP/PDF/006/09-10/2158 dated 21.01.2010. Initially, in the letter dated 13.01.2010 the Respondent indicated that the Show Cause Notice dated 30.12.2009 was to Amit M. Govekar when, in fact, from the letter dated 07.06.2010 it shows that the Show Cause Notice was to one K. H. Bhonsle. The information required by the Appellant consists of action taken and correspondence exchanged and proceedings recorded pursuant in respect to the Show Cause Notice. By merely stating that the Village Panchayat has decided to regularize the construction is not sufficient. The information sought was specific and the Respondent has to specifically provide the information sought. The Respondent has to provide any documents, resolution or any record showing how the Village Panchayat has decided to regularize the construction of the residential building in survey No. 140/5 of K. H. Bhonsle.

With the above observations, the following Order:

**ORDER**

The Respondent to provide the information at Sr. No. 1 in the request dated 23.11.2009 to the Appellant within the period of twenty days from the date of receipt of the Order.

Pronounced on this 15<sup>th</sup> day of July, 2010.

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

