GOA STATE INFORMATION COMMISSION
AT PANAJI

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 49/SIC/2010

Mr. I. S. Raju,
House No. 706-A,
Acsona, Benaulim
Salcete – Goa … Appellant.

V/s.

Public Information Officer,
South Goa District Office,
Town and Country Planning Department,
Margao – Goa … Respondent.

Appellant in person.
Respondent in person..

Dated: 30.07.2010

O R D E R

The Appellant on 03.11.2009 in reference to the Appellant's letters dated 17.08.2009, 18.08.2009, 20.08.2009 and 31.08.2009 and the reminder dated 09.10.2009, sought the following information under the RTI Act:

1) Daily progress report made on his above mentioned letters.

2) Names and designations of the officials with whom the letters were lying during this period and the period the letters were with which officer and the action taken by that official during that period.

3) According to the rules, in how many days should a reply be given?

4) According to rules, in how many days should a plan submitted to the office be approved or rejected and to provide a copy of these rules.

As no information was provided by the Respondent within the period of thirty days the Appellant on deemed refusal preferred the First Appeal on 12.12.2009 and the First Appellate Authority by Order dated 06.01.2010 directed the Respondent to give information free of cost within twenty days from the receipt of the Order. The Respondent in compliance to the Order of the First Appellate Authority, on 29.01.2010 provided the information sought by the Appellant. Not content with the information provided the Appellant preferred this Second Appeal.

2. The letters of the Appellant addressed to the Town Planner dated 17.08.2009, 18.08.2009, 20.08.2009 and 31.08.2009 pertains to the newly constructed house of Mrs. Maria D'Souza in survey No. 157/3 of Benaulim

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Village. In pursuance of the Order of the First Appellate Authority by reply dated 29.01.2010 the Respondent provided the information at Sr. No. 1 to 4. On perusing this reply, at Sr. No. 1 the Respondent informed that there is no Daily Progress Report on the letters and the same could not be furnished to the Appellant. In respect to Sr. No. 2, the Respondent gave a name to whom the letters were marked for processing. The Respondent informed that no rules were made by the Department, in reply to the information sought at Sr. No. 3 and regarding information at Sr. No. 4 stated that there are no rules made by the Department for approving plans or rejecting it within certain period. The information provided should be from the records available and in the reply dated 29.01.2010 the Opponent of whatever information was available provided in answer to the information sought the information provided meets the requirements to the information sought at Sr. No. 2, 3 and 4 in the request dated 03.11.2009.

3. The information at Sr. No. 1, the Appellant requires Daily Progress Report made for his four letters. In fact, the Appellant ought to have asked this question No. 1 in proper form so that the Opponent provides proper reply. Instead of asking the Daily Progress Report, the Appellant ought to have asked about action taken on his four letters addressed to Town Planner, Margao. In such circumstances, the proper course for the Appellant is to approach the Town Planner with a proper application and ask the action taken by the Public Authority – Town Planner on his four letters dated 17.08.2009, 18.08.2009, 20.08.2009 and 31.08.2009.

With these observations, the Appeal is disposed off.

Sd/-
(Afonso Araujo)
State Information Commissioner