

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

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

Complaint No. 03/SIC/2009

Ms. Vigilia De Sa,  
780, Atafondem Ward  
Moirá,  
Bardez – Goa

... Complainant

V/s.

Public Information Officer,  
Block Development Officer,  
Bardez-II, Mapusa,  
Bardez – Goa

... Opponent.

Complainant in person.  
Opponent in person.

Dated: 15.06.2010

**ORDER**

The Complainant on 27.02.2009 sought the following information from the Opponent under RTI Act:

- 1) copy of Memorandum No. 8/ILL/DDPN/Arpora-Nagoa/Bar/08/4039 dated 05.08.2008 from the Deputy Director of Panchayats to the Block Development Officer, Bardez-Goa in the matter of illegal construction at Apartment Complex La Goa Azul at Village Arpora, Bardez, Goa.
- 2) Copy of Report sent by the Block Development Officer, Bardez-Goa to the Deputy Director of Panchayats regarding the said illegal construction i.e. inquiry into the complaint, verification of facts, and action taken report as directed by the Deputy Director of Panchayats in the above mentioned memorandum.
- 3) Copies of all relevant documents attached to the report (i.e. site inspection report, panchanama, sketch of the illegal construction conducted by the Village Panchayat Arpora-Nagoa/E.O.V.P., notices sent to the party under section 66 of the Goa Panchayati Raj Act, 1994 by the Village Panchayat Arpora-Nagoa/B.D.O).

The Opponent replied on 10.03.2009 to the application of the Complainant dated 27.02.2009 and on 24.03.2009 requested the Complainant to collect the information after paying Rs. 967/-. Aggrieved by the decision directing the Complainant to pay an amount of Rs. 967/- the Complainant preferred the First Appeal and by Order dated 18.05.2009 the First Appellate Authority dismissed the Appeal. Hence, this Second Appeal.

...2/-

2. The Opponent provided the information at Sr. No. 1 and 2 to the request of the Complainant dated 27.02.2009 but the grievance of the Complainant is on the direction of the Opponent for payment of Rs. 967/- for the information sought at Sr. No. 3. The information sought at Sr. No. 3 is that the Complainant requires copies of all relevant documents attached to the report, i.e. site inspection report, panchanama, sketch of the construction conducted by the Village Panchayat, notices sent to the parties. The Opponent took copies of all the documents and being voluminous its fees amounted to Rs. 967/-. It was not proper on the part of the Opponent to first take the copies and then inform the Complainant to collect the same on payment of fees. The Opponent first should have made valuation for all the documents, arrive at approximate figure and then inform the Complainant about the amount for payment to obtain the information required. Had the Opponent done so, the Complainant would have had opportunity to choose from the relevant and irrelevant documents required. In this manner the Opponent would have avoided burdening the exchequer of the Government and the Complainant would have got the correct information.

3. The information sought at Sr. No. 3 confines to the site inspection report, panchanama, sketch of the construction conducted by Village Panchayat and notices sent to the parties u/s. 66 of Goa Panchayati Raj Act, 1994 and the Opponent is required to provide only these documents to the Complainant. With these observations the following Order:

### **ORDER**

The Complaint is partly allowed. The Opponent to provide the information at Sr. No. 3 to the request dated 26.02.2009 and provide copies of the following documents:

Site Inspection Report, Panchanama, sketch of the construction conducted by the Village Panchayat and notices of the Village Panchayat sent to the parties.

The Opponent to provide this information within the period of twenty days from the date of receipt of the Order.

Sd/-  
(Afonso Araujo)  
State Information Commissioner