

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri M. S. Keny, State Chief Information Commissioner

Complaint No.173/SCIC/2011

Shri Ronaldo Dourado,
R/o. H. No.859, Thanear,
Near Bank of Baroda,
Cortalim – Goa

... Complainant

V/s

Village Panchayat Secretary/
Public Information Officer,
Village Panchayat Cortalim,
Quelossim, Cortalim,
Mormugao, Goa

... Opponent

Complainant present.

His representative C.X. Barretto present.

Opponent present.

ORDER
(30/04/2012)

1. The Complainant, Shri Ronald Dourado, has filed the present complaint praying that the opponent be directed to furnish the information and that penalty be imposed on the opponent.

2. The case of the complainant as set out in the complaint is that on 12/7/2011, the complainant filed his complaint to the Sarpanch/Village Panchayat Secretary of Village Panchayat Cortalim, Quelossim wherein he requested that immediate inspection be carried out under intimation to the Complainant and action deemed fit be taken to demolish all the illegal structures put up by one Agnelia Dourado, Resident of H. No.860, Virabhatt, Cortalim. That the letter dated 12/7/2011 was in continuation to the complainant's letter dated 3/6/2011. That this letter dated 3/6/2011 was under Right to Information Act, 2005 ('R.T.I. Act for short). That again another letter dated 2/8/2011 seeking certain information under R.T.I. Act was also filed. That the opponent/

Public Information Officer(P.I.O.) furnished the reply dated 29/8/2011. It is the case of the complainant that opponent is trying to mislead or give false information under R.T.I. Act. When the complainant has very particularly requested that immediate inspection be carried out under intimation to the complainant and action deemed fit be taken to demolish all the illegal structures put up by Agnelia Dourado. Hence the present complaint.

3. The reply of the opponent is on record. It is the case of the opponent/P.I.O. that the complainant by application dated 12/7/2012 adhered the opponents request for illegal construction of house in Sy. No.40/8 of village Cortalim and illegal construction of compound wall and illegal extension of H. No.860, Virabhat, Cortalim. That the opponent vide letter dated 29/8/2011 has issued Show Cause Notice for which she replied. That thereafter the said reply was placed in the meeting and it was resolved that said reply is not satisfactory and to issue her final notice and said structure within 15 days. That thereafter the complainant approached Block Development Officer Mormugao restraining Agnelia Dourado from doing illegal construction in the property bearing Sy. No.40/9 to which Block Development Officer has sent memorandum dated 6/1/2011. It is the case of the opponent that the information sought for by the complainant has already been furnished to him by letter dated 3/6/2011. That the question of holding inquiry or penalty does not arise. In short, it is the case of the opponent that opponent has furnished all the information available with the authority under the R.T.I. Act and which was on record.

4. The detailed reply filed by the complainant is also on record.

5. Heard Shri C. X. Barreto, representative of the complainant and the opponent. The written argument of the complainant are also on record.

6. I have carefully gone through the records of the case and also considered the arguments advanced by the parties. It is seen that by application dated 3/6/2011, the complainant sought certain information. By reply dated 3/7/2011, the information was furnished. It is seen from records that complainant again by letter dated 2/8/2011 sought certain information and by letter dated 29/8/2011, the same was furnished. It is seen that the information is furnished in time.

The grievance of the complainant appears to be that no action has been taken by the concerned village panchayat. As far as R.T.I. aspect is concerned, the information is furnished. The representative of the complainant agrees that information to that extent has been furnished. It is for the complainant to take matter before concerned authority for the redressal of his grievance. From the records it is seen that the available information is furnished and that too in time.

7. Since information is furnished, no intervention of this Commission is required. Hence I pass the following order.

ORDER

No intervention of this Commission is required as information is furnished. The complaint is disposed off.

The Complaint is accordingly disposed off.

Pronounced in the Commission on this 30th day of April, 2012.

Sd/-
(M. S. Keny)
State Chief Information
Commissioner