

GOA INFORMATION COMMISSION

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.

Appeal No. 68/SCIC/2008

Shri. J. T. Shetye,
H. No. 35, Ward No. 11,
Khorlim, Mapusa – Goa.

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Appellant.

V/s.

1. Public Information Officer,
The Chief Officer,
Mapusa Municipal Council,
Mapusa – Goa.
2. First Appellate Authority,
The Director,
Municipal Administration/Urban Development,
Panaji – Goa.

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Respondents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner

(Per A. Venkataratnam)

Dated: 29/09/2008.

Appellant in person.

Respondent No. 1 in person. Respondent No. 2 is absent.

ORDER

The Appellant has asked for information on 6 points on 23/04/2008. The first two questions are only of relevance as they asked for certified copies of the reports submitted by the Respondent No. 1 to the Respondent No. 2 about assessment of the illegal houses. The second question is about the names of the officials who have been entrusted the job of searching these records. The other questions relate to the action proposed to be taken by the Municipal Council against its employees. Such questions do not constitute "information" as per the definition given in the Right to Information Act. The Appellant asks for the names of the officials because in an earlier reply the Respondent No. 1 has informed him that the records are missing though he has admitted to have submitted a report about the assessment of the illegal houses in Mapusa Municipal Council jurisdiction to the Director of Municipal Administration. He has now requested the Director of Municipal Administration himself to provide a copy of his own report. I do not know whether this report is available in the office of the Director of Municipal Administration.

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2. On notices having been issued, the Respondent No. 1 who has argued his case submitted orally that the report is not available with the Municipal Council. He is, therefore, directed to file an FIR with the Mapusa Police about the missing records. Meanwhile, the Respondent No. 2 may also search his own office records if such a report is available with his office and if available furnish a copy to the Appellant on payment of necessary fees.

3. The appeal is, therefore, partly allowed. The request for taking action against the Public Information Officer is not agreed to as I am satisfied that there is no malafide intention in denial of information.

Pronounced in the open court on this 29th day of September, 2008.

Sd/-
(A. Venkataratnam)
State Chief Information Commissioner