

GOA INFORMATION COMMISSION

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

Complaint No. 24/2008

Shri. Shekhar S. Shirgaonker,
H. No. 498/304, Malbhat,
Aquem, Margao – Goa.

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Complainant.

V/s.

1. The Public Information Officer,
South Goa Planning & Development Authority,
Margao - Goa.
2. The first Appellate Authority,
The Chief Town Planner,
Town & Country Planning Board,
Panaji - Goa.

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Opponents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner
&
Shri. G. G. Kambli
State Information Commissioner

(Per A. Venkataratnam)

Dated: 29/09/2008.

Complainant in person.

Adv. V. Rodrigues for the Opponent No. 1. Opponent No. 2 absent.

ORDER

The Complainant approached the Opponent No. 1 by his application dated 6/03/2008 received by the Opponent No. 1 on 7/03/2008 with a request to give "the certified copies of all the notings/proceedings sheet of the file No. SGPDA/P/4528/2613/07-08". It is the case of the Opponent No. 1 that the information was already given to him on 17th or 18th July, 2008. However, his office did not obtain any acknowledgement from the Opponent No. 1. On a first appeal made to the Opponent No. 2 on 2/6/2008, the Opponent No. 2 directed the Opponent No. 1 to give the information within 15 days of his order dated 26/06/2008. The Complainant, states that he is yet to receive the information.

2. Notices were issued. A written statement was filed by the Opponent No. 1 and also submitted an affidavit of the Asst. Public Information Officer. The matter was argued by Adv. V. Rodrigues on behalf of Opponent No. 1.

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3. In the affidavit filed by the Smt. Goreti Moraes, Asst. Public Information Officer of the SGPDA submitted that the information was collected by the Complainant but no acknowledgment was taken from him. The exact date of giving information also was not known to her. However, she enclosed a copy of another request for information by the same Complainant dated 18/07/2008 wherein a reference was taken to the contents of the notings pertaining to the file No. SGPDA/P/4528/2613/07-08. According to the Opponent No. 1, this is not possible unless the copy of the notings as requested in the Complainant's request for information dated 7/3/2008 is already with the Complainant. On the other hand, the Complainant submitted that the Opponent No. 1 did not mention the fact of having furnished the information to the Complainant at any stage of hearing by this Commission.

4. We have carefully gone through all the documents filed before us and we have come to the conclusion that the Complainant is aware of the contents of the documents requested by him on 7/3/2008 having referred to the contents in the subsequent request for information to the same authority. This conclusively proves even after having received the information free of cost, the Complainant has made this frivolous complaint. We, therefore, dismiss the complaint as having no merit.

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

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

Sd/-
(G. G. Kambli)
State Information Commissioner