

GOA INFORMATION COMMISSION

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

Appeal No. 87/SCIC/2008

Ms. Valentina Fernandes,
H. No. 2/186/A, Naika Vado,
Calangute, Bardez – Goa.

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Appellant.

V/s.

1. Public Information Officer,
The Health Officer,
Primary Health Centre,
Candolim, Bardez - Goa.
2. First Appellate Authority,
The Director,
Directorate of Health Services,
Campal, Panaji – Goa.

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Respondents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner

(Per A. Venkataratnam)

Dated: 15/10/2008.

Appellant in person.

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

ORDER

The request for information dated 7/5/2008 filed by the Appellant with the Respondent No. 1 was not complied with by the Public Information Officer because of the absence of the records with him. This is regarding the NOCs issued by the Primary Health Centre, Candolim from the year 2002 onwards to the construction made by Mr. Mariano Goes Proenca in the survey No. 186/2A in Calangute village. The Public Information Officer submitted that he has made efforts to trace out the records and he did not find the required NOC. He has, therefore, requested Secretary, Village Panchayat Calangute by his letter dated 19/07/2008 to furnish the desired information to the Health Officer i.e. the Public Information Officer. The Village Panchayat Secretary, of course, has kept quiet. On an appeal made to the Respondent No. 2, the appeal came to be dismissed as the first Appellate Authority was satisfied about the non-existence of the records at Candolim Health Centre.

2. I have come across in a number of similar cases where the records are found missing and therefore, the information was not supplied to the

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citizens. There is an immediate need for all the public authorities to arrange the records subjectwise and index them properly and destroy the old records as per instructions issued by the Government from time to time after keeping a note of the records of so destroyed. The Director of Health Services as a public authority should take immediate measures in respect of all the offices under the Public Health Department including the present Primary Health Centre at Candolim and give a certain time limit for this purpose.

3. In the present appeal, the record is actually of the Village Panchayat. The Village Panchayat gathers all the no objection certificates from the various authorities like Primary Health Centre as in the present case, the technical officer of the Public Works Department, Town and Country Planning Department/PDA before issuing of construction licences. Hence, though the Public Health Centre, Candolim might have issued the NOC to Mariano Goes Proenca, the document becomes the record of the Village Panchayat of Calangute. The original application for information by the Appellant, therefore, should be transferred by the Respondent No. 1 to the Public Information Officer of Panchayat of Calangute for tracing of the document and giving a copy to the Appellant. I have seen that the Respondent No. 1 has written to the Village Panchayat Secretary and corresponded with him. Instead of that, he should now transfer the original application to the Village Panchayat whereupon the Secretary of the Village Panchayat becomes responsible for issuing the certified copy of the document requested by the Appellant. This should now be done within next 10 days.

4. With this direction, nothing further survives in the appeal and is, therefore, rejected.

Pronounced in the open court on this 15th day of October, 2008.

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