

GOA STATE INFORMATION COMMISSION

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

Appeal No. 188/SIC/2008

Mrs. Severina Fernandes,
Behind St. Rita Boutique,
Naika Vado, Calangute,
Bardez – Goa.

... Appellant

V/s.

1. The Public Information Officer
The Secretary,
Village Panchayat of Calangute,
Bardez – Goa
2. The First Appellate Authority
The Block Development Officer,
Office of B.D.O., Mapusa – Goa.

... Respondents.

CORAM:

Shri G. G. Kambli
State Information Commissioner
(Per G. G. Kambli)

Dated: 27.11.2008

Appellant in person.

Respondent No. 1 in person.

Respondent No. 2 absent.

ORDER

The Appellant approached the Respondent No. 1 vide her application dated 24/06/2008 seeking information on 4 points in respect of the buildings existing in survey No.186/2A of village Calangute. As the Appellant did not receive any response from the Respondent No. 1, the Appellant filed an appeal before the Respondent No. 2 and the Respondent No. 2 dismissed the same. Hence, the Appellant has filed the present second appeal.

2. The Respondent No. 1 filed the reply stating that he could not provide the information within the time limit as he was busy with administrative workload and to comply with the orders of the Hon'ble High Court regarding the survey of 200 mts. of HTL. Alongwith the reply, the Appellant has annexed the copy of the letter dated 25/09/2008 sent to the Appellant. On perusal of the said letter, the Respondent No. 1 has provided the pointwise information to the Appellant on all 4 points. However, the Appellant submitted that the Respondent No. 1 has not

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provided the correct information stating that there exist 3 buildings in survey No. 186/2A whereas the Respondent No. 1 has provided copy of the occupancy certificate only in respect of one building. The Respondent No. 1 submitted that as per the records, the Panchayat has granted permission to only one building and there are no records in respect of the other 2 buildings.

3. The Public Information Officer is expected to provide the information what is available in the records of the Panchayat. If there are no permissions or occupancy certificates issued by the Panchayat in respect of the other 2 buildings which the Appellant claims to be existing in the said survey number, the Public Information Officer cannot provide the same. Therefore, the Respondent No. 1 has provided the information available in the records of the Panchayat.

4. I have observed that the Respondent No. 1 has taken considerable time in furnishing the information. The information is furnished almost after 3 months as against the statutory period of 30 days laid down in section 7 of the Act. Therefore, the Respondent No. 1 should adhere to the time limit laid down in the Act which is mandatory in nature in such cases.

5. Hence, I do not find any merit in the present appeal and therefore, the same is hereby dismissed.

Pronounced in the open court on this 27th day of November, 2008.

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

