

GOA INFORMATION COMMISSION

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

Appeal No. 190/SIC/2008

Shri. Premanand Mayekar,
H. No. 512, Dhaktem Bhat,
Mandur, Tiswadi – Goa.

... Appellant

V/s.

1. Public Information Officer
The Secretary,
Village Panchayat of Azossim,
Mandur, Tiswadi – Goa.
2. First Appellate Authority,
The Block Development Officer,
Tiswadi Block, Panaji - Goa.

... Respondents.

CORAM:

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

Dated: 05.12.2008

Appellant in person.

Respondent No. 1 in person.

Respondent No. 2 is represented by Shri. Naresh Gaude, V.P.
Secretary (HQ).

ORDER

The Appellant herein requested the Respondent No. 1 to inform as to when the illegal construction carried out by Shri. Ramakant Mayekar in Ward No. 4 of Azossim, Mandur village will be demolished. Apparently, the request of the Appellant will not fall within the purview of the Right to Information Act, 2005 (for short the Act). The Public Information Officer is not supposed to inform the future course of action which the Panchayat is going to take. The role of the Public Information Officer is to provide the information available in the records of the public authority. The Public Information Officer wanted to know the decision of the Panchayat as to when the Panchayat is going to demolish the illegal construction. This will not fall within the definition of the term information as defined in section 2(f) of the RTI Act. Shri. Pravin Naik who was assisting the Appellant was asked to clarify as to how the request of the Appellant would fall within the term information. He stated his request fall within the meaning of

...2/-

opinion as contained in the said definition. I do not agree with this contention. The word opinion as contained in the definition of information is that the opinions available in the records of the public authorities and not the opinions of the Public Information Officer.

2. The grievances of the Appellant is that the Respondent No. 1 has provided unsigned copy of the information malafidely and therefore, the penalty should be imposed. The Respondent No. 1 clarified that due to bonafide mistake the said letter remained unsigned. However, the same was subsequently signed and provided to the Appellant. Therefore, nothing survives in the present appeal and accordingly, the same is hereby dismissed.

Pronounced in the open court on this 5th day of December, 2008.

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

