

GOA STATE INFORMATION COMMISSION

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

Appeal No. 158/SIC/2008

Shri Joaquim Antonio Brito

Y-1, 5th Floor, Chamundi Apartment

Margao – Goa

...Appellant

V/s.

1. The First Appellate Authority

The Block Development Officer

Margao – Goa

...Respondent No. 1

2. The Public Information Officer

Village Panchayat of Curtorim

Salcete – Goa

...Respondent No. 2

CORAM:

Shri G. G. Kambli

State Information Commission

(Per G. G. Kambli)

Dated: 17.10.2008

Appellant in person.

Respondent No. 1 represented by Shri Girish Chari,

LDC from the office of Respondent No. 1.

Respondent No. 2 in person.

ORDER

The Appellant vide his application dated 2nd April, 2008 requested the Respondent No. 2 to provide information on five points in respect of the property bearing survey No. 212/7 and 212/8 of Curtorim Village. As the Appellant did not receive any reply from the Respondent No. 2, the Appellant filed an appeal before the Respondent No. 1. The Respondent No. 1 after hearing the Appellant as well as the Respondent No. 2 closed the matter stating that the information sought by the Appellant was already provided by the Respondent No. 2.

2. Feeling aggrieved by this order of the Respondent No. 1, the Appellant preferred the second appeal before the Dy. Director of Panchayats who returned the appeal stating that the appeal has to be preferred before the Goa State Information Commission.

Accordingly, the present second appeal has been filed by the Appellant before this Commission.

3. The notices were issued to both the parties. The Respondent No. 2 filed the reply. The Respondent No. 1 was represented by Shri Girish Chari, Lower Division Clerk, from the office of the Respondent No. 1. The Respondent No. 1 in his reply stated that the Panchayat is not maintaining the records of the houses survey wise and, therefore, the Appellant was informed accordingly. However, the Respondent No. 2 admitted that the reply dated 11.04.2008 of the Respondent No. 2 was not delivered to the Appellant within the time limit specified in sub-section (1) of section 7 of the RTI Act, 2005 and the same was delivered only after the first appeal was filed by the Appellant before the Respondent No. 1.

4. I have perused the application of the Appellant dated 02.04.2008 and also the reply given by the Respondent No. 2 in response thereof. I do not find anything wrong in the said reply given by the Respondent No. 2 to the Appellant. As the Village Panchayats are not maintaining the records of the houses as per the survey records, it is not possible for the Respondent No. 2 to provide the information to the Appellant, which he has sought. However, I direct the Respondent No. 2 to be more careful in future and to see that the replies to the applications received under the RTI Act are replied within the time limit laid down in sub-section (1) of section 7 of the Act.

5. I do not see any merits in the present second appeal and, therefore, I dismiss the same.

6. Pronounced in the open Court on this 17th day of October, 2008.

Sd/-
(G. G. KAMBLI)
STATE INFORMATION COMMISSIONER