

**GOA STATE INFORMATION COMMISSION AT  
PANAJI**

**CORAM:** Shri Afonso Araujo, State Information Commissioner

**Appeal No. 183/SIC/2008**

Shri Chandrakant B. Naik  
H. No. S-81, Verem  
Bardez - Goa

**...Appellant.**

V/s.

1) The Public Information Officer  
North Goa District, The Secretary  
Village Panchayat of Reis Magos  
Verem, Bardez – Goa

2) The First Appellate Authority  
The Block Development Officer  
Mapusa, Bardez – Goa

**...Respondents.**

**J U D G M E N T**

(Per Afonso Araujo)

The Order of the First Appellate Authority dismissing the appeal and maintaining the denial of information sought under the Right to Information Act, 2005 (for short ‘The RTI Act’) by the Public Information Officer is challenged in this appeal.

2. The Appellant sought information under RTI Act on 08.05.2008 and required copies of documents relating to Survey No. 77/1, 78 and 79 of the Village Ravechem Bhat, Nerul, Verem, Reis Magos, Bardez from 1984 till date namely construction licences given to Mr. Gopal Vishnu Naik Panvelkar, Mr. Ganesh V. N. Panvelkar, Mr. Narcinva Panvelkar and Vithoba V. N. Panvelkar and copies of the documents relating to those construction such as licences, Sanad and property documents. The Respondent by letter dated dated 27.05.2008 replied to the said request and stated that Village Panchayat has not issued any construction licence to Shri Gopal Vishnu Naik Panvelkar, Shri Ganesh V. N. Panvelkar, Shri Narcinva Panvelkar and Shri Vithoba V. N. Panvelkar in Survey No. 77/1, 78 and 79 of Village Panchayat Reis Magos.

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Subsequently on 06.06.2008 again, the Appellant sought the information under RTI Act which consisted of copies of permission/construction licences of other houses in the said survey numbers from 1984 till date besides the houses of Panvelkar family; information whether during the tenure of the Sarpanchas mentioned in the letter have supported or objected the resolution and whether for the construction of five starred roads in Survey No. 78, permission have been granted and from whom NOC was obtained. The Respondent by letter dated 02.07.2008 stated that construction file in respect of Survey No. 77/1 in respect of 17 bungalows is not traceable and houses, compound wall in Survey No. 78 and 79 are not registered nor any licences are issued in Survey No. 78 and 79. Not satisfied with this reply the Appellant approached the First Appellate Authority and by order dated 26.08.2008 dismissed the appeal. This is the Impugned Order.

3. Smt. Khandolkar appearing for the Appellant stated that initially information was sought on 08.05.2008 and as the reply on 27.05.2008 was incomplete, again on 06.06.2008 the Appellant clarified the information required and the reply dated 02.07.2008 is incomplete and First Appellate Authority also did not provide the information and that there should have been licences for any construction and the Public Information Officer should provide those licences. The Respondent filed the written arguments.

4. I have gone through the records and taken into consideration the arguments of both the parties.

5. Through the letters dated 08.05.2008 and 06.06.2008 the Appellant sought information in respect of construction licences issued to Shri Vishnu Naik Panvelkar, Shri Gopal Vishnu Naik Panvelkar, Shri Ganesh V. N. Panvelkar, Shri Narcinva Panvelkar and Shri Vithoba V. N. Panvelkar of their respective

house/houses situated in Survey No. 77/1, 78 and 79 at Revachem Bhat, Nerul, Verem (Reis Magos), Bardez-Goa. However, the manner the Appellant sought the information is not proper. Especially in the letter dated 08.05.2008 where the Appellant requires the documents from 1984 till date. Again in the letter dated 06.06.2008 the Appellant makes reference to 17 bungalows existing in Survey No. 77/1, 31 houses, one huge compound wall in Survey No. 78 and some houses have been completed in Survey No. 79 and in the same letter the Appellant requires copies of documents relating to permission/construction licences, sanad copies of the property documents besides the houses of Panvelkar family. This request for information by the Appellant is not specific, vague and casual. The request for information in respect of the Sarpanchas who have supported or objected to the resolutions for granting permission of licences to those houses besides Panvelkar family is too cumbersome.

6. No doubt that the Public Information Officer has to provide information which is available on records. It is not for the Public Information Officer to go about and check every corner of the Village to find out whether there has been any construction carried out. The Appellant ought to be specific, identify the houses and the compound wall and seek the information about the licence for construction of the houses and the documents which were produced for the purpose of granting licences. Had the Village Panchayat authorities maintained up to date records as required under the provisions of section 4 of the Act and also in compliance of the Order of the Commission dated 23.08.2008 passed in Complaint No. 1/2006/Inf/A, by this time the Panchayat authorities would have kept the records duly catalogued and indexed and the work of providing the information by the Public Information Officer would have been made easy.

6. Since the information sought by the Appellant to the letters dated 08.05.2008 and 06.06.2008 is in respect of permission/licence, sanad, property documents for construction of the house/houses of Shri Vishnu Naik Panvelkar, Shri Gopal Vishnu Naik Panvelkar, Shri Ganesh V. N. Panvelkar, Shri Narcinva Panvelkar and Shri Vithoba V. N. Panvelkar in Survey No. 77/1, 78 and 79 of Village Nerul and also in respect of permission and NOC granted for the construction of 5 starred roads in the property surveyed under No. 78 of the Village Nerul, the Respondent No. 1 is required to provide such information to the Appellant. Hence, the following order:

**ORDER**

The Appeal is partly allowed. The Respondent No. 1 is directed to provide the licences, sanad and property documents in respect of construction of the house/houses of Shri Vishnu Naik Panvelkar, Shri Gopal Vishnu Naik Panvelkar, Shri Ganesh V. N. Panvelkar, Shri Narcinva Panvelkar and Shri Vithoba V. N. Panvelkar in Survey No. 77/1, 78 and 79 of Village Nerul and permission and NOC for construction of 5 starred roads in Survey No. 78. The Respondent No. 1 to provide this information to the Appellant by 31.07.2009 and report compliance to this Commission on 5<sup>th</sup> August, 2009 at 10:30am.

Pronounced in the open court on this 3<sup>rd</sup> day of July, 2009.

Sd/-  
(Afonso Araujo)  
State Information Commissioner

