

# GOA STATE INFORMATION COMMISSION AT PANAJI

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

Appeal No. 296/2008

Shri Sandesh V. Dicholkar,  
H. No. 5, Near Dyan Jyoti High School,  
Kudapwada, Carapur, Sanquelim – Goa.

..... Appellant.

V/s.

1. Public Information Officer,  
Head Quarters,  
Town & Country Planning Department,  
2<sup>nd</sup> Floor, Dempo Towers, Panaji - Goa.
2. First Appellate Authority,  
Town & Country Planning Department,  
Head Quarters, 2<sup>nd</sup> Floor, Dempo Towers,  
Panaji - Goa.

..... Respondents.

Appellant present in person.

Respondent No. 1 present in person.

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

(Per Afonso Araujo)

The Appellant on 23/10/2008 sought information under the Right to Information Act, 2005 (for short the RTI Act) and required;

- 1) Certified copy of the Offer of appointment order issued to said Shri Raya V. Karapurkar in August 2006.
- 2) Certified copies of all the Noting sheets from the file in which said harness case was dealt i.e. each & every noting sheet from the file in which said offer of appointment order was issued.

The Respondent No. 1 by letter dated 7/11/2008 informed the Appellant that his request was considered and collect the information on payment of fees of Rs.22/-. The information at Sr. No. 1 was provided and as only few sheets of notings at Sr. No. 2 were provided, the Appellant on 8/12/2008 preferred the First Appeal as he was not satisfied with the information and with prayer directing the Respondent to furnish the balance unfurnished noting sheets free of cost; to refund Rs.2/- as fees for posting order which the Appellant never sought and penalise and disciplinary action under section 20 of the RTI Act. As the First Appellate Authority did not decide the Appeal, this Second Appeal has been preferred by the Appellant.

...2/-

2. Written arguments were filed by the Appellant. Shri Nilekani submitted that the information pertains to harness cases and only relevant notings were provided and if required all notings can be furnished to the Appellant.

3. I have gone through the records of the case and written submissions of the Appellant and the submission of the Respondent No. 1. The information sought by the Appellant by letter dated 23/10/2008 pertains to certified copies of all the noting sheets from the file from which the harness case was dealt i.e. each and every noting sheet from the file from which the said appointment order was issued. The grievance of the Appellant is that the Respondent No. 1 provided only few noting sheets of his choice withholding the other noting sheets. Shri Nilekani in all fairness stated that if directed all notings will be provided to the Appellant.

4. Since the request of the Appellant was specific and he required all the noting sheets and further emphasize the requirement of each and every noting sheet from the file pertaining to the offer of appointment order and the Respondent No. 1 provided only few noting sheets, it will be proper the Respondent No. 1 to provide the Appellant with all the noting sheets pertaining to the harness case of Shri Raya Karapurkar. The question of penalty to be decided after the compliance on the part of the Respondent No. 1. Hence, the following order: -

### **ORDER**

The Appeal is allowed. The Respondent No. 1 to provide certified copies of the information sought at Sr. No. 2 of the letter dated 23/10/2008 free of cost within the period of 20 days from the receipt of this order. The Respondent No. 1 to report compliance on 7/9/2009 at 10.30 a.m.

Pronounced in the open court on this 30<sup>th</sup> day of July, 2009.

Sd/-  
(Afonso Araujo)  
State Information Commissioner



