

GOA STATE INFORMATION COMMISSION AT PANAJI

CORAM: Shri Afonso Araujo, State Information Commissioner

Complaint No. 76/SIC/2008
In Appeal No. 180/SIC/2008

Mr. Wilson B. L. D'Silva,
B-8/9, Jeevan Nagar,
Mithagar Road, Mulund (E),
Mumbai – 400 081

..... Complainant.

V/s.

The Public Information Officer,
The Secretary,
Velim Panchayat,
Velim – Goa

..... Opponent.

Complainant absent.

Opponent present in person.

ORDER

By order dated 05.12.2008 passed in Appeal No. 180/SIC/208 this Commission directed the Opponent to provide the correct information to the Complainant on point No. (ii), (ii) (a), (b), (c), (e), (f), (g), (h) and (i) within two weeks from the date of the order. In the letter dated 23.12.2009 the Opponent stated that the information at (ii), (iii) (a), (b), (c), (e), (f), (g) and (h) is non-traceable in the office records and at (i) the reply is 'Yes, Shri Shaikh Nassrudin is alive/live". Not satisfied with this information provided, the present Complaint with a prayer for imposing exemplary punishment on the Public Information Officer.

2. The information which the Complainant sought in the request dated 26.05.2008 pertains to the repairs of the House No. 1124/1 situated at Tolecanto, Moder, Velim of one Shaikh Nassrudin. The Opponent had to provide information at (iii) (a) which is the copy of application of Shaikh Nassrudin for repairs of House No. 1124/1, (b) inspection report, (c) completion report, (e)

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Form I and XIV of the plot, (f) consent of owner, (g) copy of survey plan of the plot and (h) copy of sanction plan. It appears that the Opponent provided to the Complainant only information at point 3(d) which is copy of the Panchayat resolution. Once the resolution of the Panchayat granting the approval for repairs to Shaikh Nassrudin was provided to the Complainant then the Opponent will have no difficulty in locating the documents: application for repairs, inspection report, survey plan, sanction plan, completion report, consent of owners and Form I and XIV and provide those information to the Complainant. The Commission in the order dated 05.12.2008 also has observed that the Opponent to make efforts to trace the application of Shaikh Nassrudin.

3. Since the Opponent has provided the information at (iii)(d) which is the NOC issued by the Panchayat, the Opponent No. 1 should specifically provide the Complainant the information at (ii), (iii) (a), (b), (c), (d) and (h) of the request dated 26.05.2008. While providing the information, the Opponent should also specify, if required, whether such document is needed or not for the purpose of obtaining permission for repairs of the house. If any of the documents need not form part for the purpose of obtaining NOC for repairs of the house, the Opponent to state so and not merely state that the information is not traceable. With this observation and before dealing with the question of penalty, the Opponent to specifically provide information at point (ii), (iii) (a), (b), (c), (e), (f), (g) and (h) by 30.12.2009 to the Complainant and report compliance on 04.01.2010.

Pronounced in the open court on this 6th day of November 2009.

Sd/-
(Afonso Araujo)
State Information Commissioner

