

GOA STATE INFORMATION COMMISSION AT PANAJI

CORAM: Shri Afonso Araujo, State Information Commissioner

Complaint No. 79/2009

Shriram S. P. Raiturker,
C/o Adv. S. P. Raiturker,
Opp. State Bank of Mysore,
Margao – Goa.

... Complainant.

V/s.

1. Public Information Officer,
Town & Country Planning Department,
Osia Complex, Margao – Goa.
2. Public Information Officer,
Town & Country Planning Department,
HQ, Panaji - Goa.

... Opponents.

Complainant in person.

Opponent No. 1 in person.

ORDER

The Complainant sought the information under the Right to Information Act, 2005 (for short the 'RTI Act') by request dated 17/06/2009 and requires the inspection of files (1) TPM/Const/Nuven/254/3(P)/07/4057 – LDC builders/Santa Fe Realty at Nuven & (2) TPM/Const/Cam/34/3 & 4/3934 – Carmorlim – Sai Arnav Developers. The Opponent No. 1 by communication dated 20/07/2009 could not provide the inspection of files as the same has been submitted to the office of Chief Town Planner, Panaji on 08/06/09.

2. Accordingly, again on 5th August, 2009, the Complainant sought the information and required the inspection of above referred files from the Opponent No. 2. The Opponent No. 1 by communication dated 4/09/2009 stated that the file pertaining to construction at Nuven is with the Vigilance Department and the information sought in respect of file dealing

...2/-

with the construction at Camurlin, it was sent back to the TCPD, Margao. On the strength of this reply, the Complainant on 10/09/2009 again sought the information and required inspect of the file pertaining to M/s. Sai Aarnav Developers at Camorlim.

3. The information which the Complainant is seeking under the RTI Act is inspection of files dealing with the development permission of some construction in village Nuvem and village Camurlin. The Town & Country Planning Department is dealing with these matters of construction within these two villages and accordingly the Opponent No. 1 has to provide the inspection to the relevant files. It appears that the Complainant has been informed that the relevant files has been sent to the public authority of Town & Country Planning Department at Panaji and thereafter the later has informed the Complainant that the file pertaining to the construction at Nuvem was sent to the Vigilance Department and in respect of file of construction at Camurlin the same was sent back to the Public Authority, Town & Country Planning Dept., Margao. In this process, the Complainant has been deprived of the inspection of these files and defeat the purpose of obtaining the information under the RTI Act.

4. In case the required files for providing inspection to the Complainant are not with the Public Authority, Town & Country Planning Dept., Margao, the Opponent No. 1 has to transfer the request for information to the concerned Public Authority with direction to provide the inspection of the relevant file to the Complainant. In such circumstances, as the file TPM/Const/Nuvem/ 254/3(P)/07/4057 – LDC builders/Santa Fe Realty at Nuvem pertaining to the construction at Nuvem which is with Vigilance Department, Panaji, the Opponent No. 1 to transfer within five (5) days from the receipt of this order to the Public Information Officer,

Vigilance Department, Panaji with a direction to provide the inspection of the files to the Complainant. In respect of the file TPM/Const/Cam/34/3 & 4/3934 – Carmorlim – Sai Aarnav Developers of construction at Camurlin as the same is available with the Public Authority, Town & Country Planning Dept., Margao, the Opponent No. 1 to provide the inspection of this file within the period of twenty (20) days from the receipt of this order and report compliance on 19/01/2010.

Pronounced on this 17th day of December, 2009.

Sd/-
(Afonso Araujo)
State Information Commissioner

