

# GOA STATE INFORMATION COMMISSION AT PANAJI

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

Appeal No. 58/SIC/2009

Lt. Col. Albin Fernandes (Retired),  
H. No. 203, Chaudi Vaddo,  
Maina-Siolim, Bardez – Goa.

..... Appellant.

V/s.

1. First Appellate Authority,  
The Block Development Officer – I,  
Bardez, Mapusa, Goa – 403 507.
2. Public Information Officer,  
Village Panchayat of Siolim-Marna,  
Bardez, Goa – 403 517.

..... Respondents.

Appellant in person.

Respondent No. 2 in person.

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

(Per Afonso Araujo)

The Appellant in the request dated 2<sup>nd</sup> March, 2009 sought the following information under the Right to Information Act, 2005 (for short the RTI Act) and required copies of the documents: -

- (a) Statement of case/proposal forwarded to the Government of Goa for acquisition of the property in survey no. 48/10. (seasonal water drain)
- (b) Section No. IV so published in the Gazette of the State/published in the NEWS print.
- (c) Section No. VI so published in the Gazette of the State.

By communication dated 02/04/2009, the Respondent No. 2 directed to Appellant to write a letter to the Collector in order to get publication in the Official Gazette. Not satisfied with the information

...2/-

provided, the Appellant preferred the First Appeal and by Order dated 12/06/2009, the First Appellate Authority directed the Respondent No. 2 to conduct thorough search of records and give information to the Appellant within 7 days or else Respondent No. 2 should give specific reasons for non-availability of the information. As the Respondent No. 2 did not comply with the Order of the First Appellate Authority, the present Second Appeal preferred by the Appellant.

2. The information sought by the Appellant in the request dated 02/03/2009 from the Respondent No. 2 is in respect of land acquisition done in survey No. 48/10. No doubt that the land acquired is for the benefit of the Village Panchayat but procedure for the acquisition is carried out by the Collector. If the Respondent No. 2 do not have the records of acquisition of the land which is for the Village Panchayat it was not proper on the part of the Respondent No. 2 to direct the Appellant to get the information from the Collector. In case the proposal for acquisition began with the authorities with the Village Panchayat then the Respondent No. 2 is bound to provide such resolution for acquisition to the Appellant. But if the entire process of the acquisition is carried by the Collector then the proper course for the Respondent No. 2 is to transfer this request dated 02/03/2009 to the Public Information Officer dealing with the land acquisition cases in the Office of the Collector. Hence, the following Order: -

### **ORDER**

The Appeal is partly allowed. The Respondent No. 2 to transfer the request dated 02/03/2009 and inform the Appellant about such transfer at

(a), (b) and (c) to the Public Information Officer, Collector's office, dealing with land acquisition cases within five (5) days from the receipt of this Order with a direction to provide information directly to Appellant.

Pronounced on this 11<sup>th</sup> day of January, 2010.

Sd/-  
(Afonso Araujo)  
State Information Commissioner

