

# GOA STATE INFORMATION COMMISSION AT PANAJI

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

Appeal No. 60/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 on 2<sup>nd</sup> March, 2009 sought the following information under the Right to Information Act, 2005 (for short the RTI Act): -

- (a) resolution of Village Panchayat to proceed in Court of Law against undersigned.
- (b) appointment letter to the Advocate.
- (c) name of the appointed advocate.
- (d) wakalatnama signed by the Sarpanch/Dy. Sarpanch for the case.
- (e) cheques issued in favour of the advocate as professional fee.
- (f) advocate receipts in acknowledgement of the payments.

The Respondent No. 2 by communication dated 02/04/2009 stated that the information which the Appellant is seeking has been searched but could not be traced. Aggrieved by the decision of the Respondent No. 2,

...2/-

the Appellant preferred the First Appeal and the Respondent No. 1 endorsed the reasoning of the Respondent No. 2 and dismissed the Appeal.

2. The information which the Appellant is seeking consist of documents pertaining to the Mundkarial purchase case filed by the Appellant for the purchase of his Mundkarial house wherein the Village Panchayat requires to be impleaded as party in the said purchase case. Since the Village Panchayat authorities sought to intervene in the said purchase Mundkarial case, a resolution must have been passed to that effect by the Village Panchayat and a decision taken to intervene in the said Mundkarial case filed by the Appellant. All the documents which the Appellant requires such as engaging the services of the lawyer, fixing his remuneration has been passed in the said resolution and precisely the Appellant requires those information under the RTI Act. Hence, the following Order: -

### **ORDER**

The Appeal is allowed. The Respondent No. 2 to provide the information sought in request dated 2<sup>nd</sup> March, 2009 at Sr. No. (a) to (f) within the period of 20 days from the receipt of the Order and report compliance on 16/02/2010.

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

Sd/-  
(Afonso Araujo)  
State Information Commissioner





