GOA STATE INFORMATION COMMISSION
AT PANAJI

CORAM: Shri Afonso Araujo, State Information Commissioner

Complaint No. 63/2009

Shri Sebastiao alias Seby D'Costa,
H. No. 60, Cupator,
Macasana,
Salcete – Goa … Complainant

V/s.

Public Information Officer,
Dy. Director of Sports & Youth Affairs,
Directorate of Sports & Youth Affairs,
Campal,
Panaji – Goa … Opponent .

Complainant in person.
Opponent in person.

Dated: 09.02.2010

O R D E R

The Complainant on 18.03.2009 sought information under the Right to Information Act, 2005 (for short 'The RTI Act') from the SGDO, Town & Country Planning Department, Margao, on items enumerated at Sr. No. 1 to 4. As the Public Information Officer did not provide the information the Complainant preferred First Appeal to Chief Town Planner and by order dated 09.06.2009 the First Appellate Authority directed the Public Information Officer to transfer the request of the Complainant dated 18.03.2009 to the Public Information Officer, Directorate of Sports & Youth Affairs. Accordingly, the Opponent by communication dated 20.08.2009 provided the information at Sr. No. 1, 2 and 4. Inspite of the fact that the information was provided by the Opponent, the Complainant made the Public Information Officer, SGDO, Town & Country Planning Department as the Opponent and by order dated 05.11.2009 this Commission deleted the said Public Information Officer and made the Public Information Officer of Directorate of Sports & Youth Affairs as the Opponent.

2. In the written arguments the grievance of the Complainant is that the information provided at Sr. No. 1 and 4 is incomplete. Smt. Gurjao e Colaco submitted that the information sought was provided by letter dated 20.08.2009. To the question at Sr. No. 1 the Complainant requires the setback to the playground in Macazana from the centre line of the road.

…2/-

The Opponent provided the information stating that the retaining wall at the South side (road side) is constructed at 6.70mts from the centre line of the road from Macazana side and 25.75mts from the centre line of the road from Curtorim side. The information provided is from the records and accordingly, the Opponent provided the setbacks from the road from Macazana side and Curtorim side. The manner the Complainant sought information at Sr. No. 4 whether the Sports Authority of Goa has left required setbacks, is not information within the meaning of information under the RTI Act and the Opponent by providing the distance from road side, Macazana and Curtorim side from the centre line of the road meets the requirements to the information sought at Sr. No. 1.

3. Similarly, the question at Sr. No. 4 whether necessary setback has been kept to the canal is not information within the meaning of information under the RTI Act since the Complainant requires an opinion from the Opponent whether setback has been kept or not. However, the Opponent has provided the information from the records and said that retaining wall at North side (canal side) was constructed 1.75mts (Curtorim side) from the edge of the canal and 2.80mts (Macazana side) from the edge of the canal and, as such, it cannot be said that the information provided by the Opponent is incomplete.

4. Since the information sought at Sr. No. 1 and 4 has been provided to the Complainant there is no reason to proceed further and this Complaint is disposed off.

Sd/-
(Afonso Araujo)
State Information Commissioner