

GOA INFORMATION COMMISSION

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.

Appeal No. 138/2007-08/GIDC

Mr. Orville De Silva,
St. Britto High School,
Mapusa - Goa.

..... Appellant.

V/s.

1. Public Information Officer,
Mr. A. D. Naik,
The Chief General Manager,
Goa Industrial Development Corporation,
Panaji – Goa.
2. First Appellate Authority,
Mr. A. V. Palekar,
The Managing Director,
Goa Industrial Development Corporation,
Panaji – Goa.

..... Respondents.

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner
&
Shri G. G. Kambli
State Information Commissioner

(Per A. Venkataratnam)

Dated: 25/04/2008.

Appellant present in person.

Respondent No. 1 also in person. Respondent No. 2 is represented by Shri. Mandar Shirodkar, Law Officer.

ORDER

This disposes off the second appeal dated 3/3/2008 filed by the Appellant against the rejection of some of the information requested by him earlier on 4/12/2007 to the Public Information Officer of Industries Department which came to be transferred to the Public Information Officer of the GIDC, Respondent No. 1 herein. The Respondent No. 1 gave part of the information and rejected remaining information by his letter dated 21st January, 2008. However, on first appeal before the Respondent No. 2, the first Appellate Authority directed the Respondent No.1 to "provide information considering the two projects are not SEZ. The same can be done before 25th February, 2008". Consequently, by another letter dated 21/02/2008, the Public Information Officer informed some more information. However, still 3 points of the original request of the Appellant remained.

2. The questions No. 5 and 8 of the initial request are regarding the number of units in the auxiliary services to Food Park. The 5th question is about the details of

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number of units be established for the auxiliary services to the Food Park. The 8th question is about survey reports for these auxiliary service units. During the course of the hearing, the Public Information Officer has shown willingness to give the survey reports. Accordingly, he should be able to give the reply to both the questions. The 11th question is about the certified copies of the project reports of the land allotted to these auxiliary units. The Public Information Officer contended that this is a third party information and third party has objected parting with this information on the ground that it would amount to disadvantage for the promoter. It is business information and will harm the competitive position of the third party. The Public Information Officer agreed with the third party and rejected the request. The first Appellate Authority's views on this matter are not known. However, we are of the same view as that of the Public Information Officer because the project of an industry contains many details with reference to manufacturing process and various other details which cannot be revealed to the competitors. We, therefore, uphold the decision of the Public Information Officer on this point.

3. Consequently, the appeal is partly allowed. The information on questions No. 5 and 8 be informed to the Appellant within next 5 days.

Announced in the open court on this 25th day of April, 2008.

Sd/-
(A. Venkataratnam)
State Chief Information Commissioner

Sd/-
(G. G. Kambli)
State Information Commissioner