

## **GOA INFORMATION COMMISSION**

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

Appeal No. 150/2007/

Mr. Jose Cruz F. Gomes,  
H. No. 67-A, Bazar,  
Cuncolim, Salcete – Goa.

..... Appellant.

V/s.

1. Public Information Officer,  
The Chief Officer,  
Cuncolim Municipal Council,  
Cuncolim – Goa.

2. First Appellate Authority,  
The Director,  
Municipal Administration/Urban Development,  
Panaji – Goa.

..... Respondents.

### **CORAM:**

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

(Per A. Venkataratnam)

Dated: 26/06/2008.

Appellant present in person.

Respondent No. 1 in person. Respondent No. 2 absent.

### **ORDER**

This disposes off the second appeal dated 18/03/2008 filed by the Appellant for non-compliance of the order of the first Appellate Authority dated 25/01/2008. By this order, the first Appellate Authority directed the Public Information Officer, Respondent No. 1 herein, to furnish complete information as regard to house No. 67-III of the village of Cuncolim sought by the Appellant within 10 days. Earlier the request was made on 3 points regarding the sub-division of H. No. 67 into 5 parts namely, 67-I, 67-II, 67-III, 67-A and finally 67-B. The Appellant wanted to know on what basis these sub-divisions were carried out for purposes of tax in the names of different occupants and also since when this is effected. The Public Information Officer by his replies dated 2/11/2007 and 6/11/2007 furnished the details as to the occupants in whose names the houses are assessed presently and latest period upto which the house tax was

...2/-

paid. However, as to the year in which these sub-divisions were carried by the local authority and the basis and documents on which they were effected, the resolutions approving the sub-divisions of the houses for tax purposes were not furnished to the Appellant on the plea that they were not found in the Municipal records. The contention of the Respondent No. 1 is that the changes effected were prior to the upgradation of Panchayat into a Municipal Council and the Panchayat records are not available. Obviously, this contention cannot be accepted. We, therefore, order that the first Appellate Authority, Director of Municipal Administration should inspect the office of the Chief Officer of the Cuncolim Municipal Council and find out the original charge reports handed over at the time of upgradation of the Cuncolim Panchayat to that of the Cuncolim Municipal Council. He should inspect the office and furnish a detailed report within one month by way of an affidavit.

2. The Appellant has also prayed that he be compensated for the inconvenience caused to him. We are inclined to agree with him and order Rs.1000/- as compensation to be paid by Municipal Council for the inconvenience and detriment caused to the Appellant.

Pronounced in the open Court on this 26<sup>th</sup> day of June, 2008.

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

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