

## **GOA INFORMATION COMMISSION**

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

Appeal No. 59/2007-08/TCP

Shri Rajiv N. Naik  
H. No. 252, Cardoz Wado,  
Taligao - Goa.

..... Appellant.

V/s.

1. Public Information Officer,  
Town & Country Planning Department (HQ),  
Panaji - Goa.
2. First Appellate Authority,  
The Chief Town Planner,  
Town & Country Planning Department (HQ),  
Panaji - Goa.

..... Respondents.

### **CORAM:**

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

(Per A. Venkataratnam)

Dated: 25/10/2007.

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

### **ORDER**

This disposes off the second appeal dated 23/8/2007. It appears that the Appellant approached the Public Information Officer, Respondent No. 1 herein with a request dated 3/07/2007 to issue him "a copy of the ODP Plan for Panaji area including Bambolim". The Public Information Officer replied on 13<sup>th</sup> July, 2007 that there is no printed copy of the ODP Plan and it is available for inspection only. Against this rejection, a first appeal was made by the Appellant on 30<sup>th</sup> July, 2007 to the first Appellate Authority, who by his order on 14<sup>th</sup> August, 2007, passed an ambiguous order. The order says "the appeal is admitted and the Public Information Officer is directed to consider the application made and provide a cost of information within 15 days of receipt of this order". There is no clear direction whether the ODP Plan requested is to be given by the Public Information Officer or not. However, as he has directed the Public Information Officer to provide the cost of information, we presume that he had allowed the appeal.

...2/-

2. On notices having been issued, both the Appellant and Respondent No. 1 were present and argued their matter. The Respondent No. 2 was absent. However, he has given a written statement through the Respondent No. 1. The reply given by the Respondent No. 2 is as vague as the order itself. He has simply enclosed the order passed by him. The Respondent No. 1, however, has submitted before the Commission that he informed the Appellant to pay Rs.950/- towards the cost of the plan and he is willing to give the colour Xerox copies of the plan after the payment is received. He has, however, clarified to the Appellant that the plan though consists of Panaji and Bambolim, only the Bambolim plan is being implemented by the office of the Chief Town Planner whereas the plan in respect of Panaji area is being implemented by the PDA. He has also mentioned that the plan in respect of Panaji could have been revised by the PDA at present and the copy he will give now may not represent the upto date plan in respect of Panaji. However, he is willing to give the plan as it exist in his office on payment of Rs.950/-. Accordingly, the appeal is allowed. The Respondent No. 1 is directed to issue the coloured photocopy of the ODP plan with a note that the plan in respect of Bambolim is implemented by the CTP office.

Pronounced in the open court on this 25<sup>th</sup> day of October, 2007.

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

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

/sf.