

GOA STATE INFORMATION COMMISSION

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

Appeal No. 62/2006/VP Orlim

I. Samuel Raju
H. No. 706/A, Aksona,
Pendolpem - Benaolim,
Salcete - Goa . 403716

..... Appellant.

V/s.

1. Public Information Officer
Secretary, V.P. Orlim,
Salcete - Goa.

2. First Appellate Authority,
The Director of Panchayats,
Panaji - Goa.

..... Respondents.

CORAM:

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

(Per A. Venkataratnam)

Dated: 15/02/2007.

Appellant in person.

Respondents are also in person.

ORDER

A request was made by the Appellant on 13/07/2006 for certain information to the Respondent No.1. The request is regarding the reasons for delay in taking action against Maria @ Rosy D'Souza against illegal construction made by Rosy D'Souza. A reply was given by the Respondent No. 1 on 10/8/2006, within 30 days, saying that the information is not available on record. A first appeal was filed on 26/9/2006 and the first Appellate Authority has passed an order on 21/12/2006 saying that the reply was delayed and that disciplinary action be taken against Respondent No. 1 if such lapses occurred in future and that as the reply has already been given, the appeal proceedings were dropped/disposed off. In the present appeal before us, it is said that the information supplied to him is misleading. It is, however, not mentioned how it

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is misleading and left the matter to this Commission to give a finding whether it is misleading or not.

2. The notices having been issued and both the Respondents have submitted their written statements. The request is about delay in initiating action on the original complaint dated 8/6/2005 against alleged illegal construction by Rosy D'Souza and not delay in giving reply by Respondent No. 1 on the Right to Information Act application. Whether any action is taken at all on the complaint has not been mentioned by the Respondent No. 1 and it did not come out during the first appeal proceedings. It is interesting to note that both Respondents have relied on the reply dated 10/8/2006 to the Appellant stating that the reasons for delay in taking action are not recorded. What they have not stated is whether any inquiry was made into the complaint dated 8/6/2005 of the Appellant and whether they have come to any conclusion whether or not the construction by Rosy D'Souza is legal or illegal or whether or not any action has been initiated against the said Rosy D'Souza. These are all matters of records which should be furnished to the Appellant. The Commission gives a time limit of one month for answering this questions and giving information to the Appellant. Pronounced in open Court on 15th February, 2007.

(A. Venkataratnam)
State Chief Information Commissioner, GOA.

(G. G. Kambli)
State Information Commissioner, GOA.