

GOA STATE INFORMATION COMMISSION

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

Appeal No. 69/2006/VP

Nazaziano Paes
H. No. 16, Banda Assolna,
Salcete - Goa.

..... Appellant.

V/s.

1. Public Information Officer
Secretary, Village Panchayat Assolna,
Salcete - Goa.
2. First Appellate Authority
Director of Panchayats,
Junta House, Panaji - Goa.

..... Respondents.

CORAM:

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

(Per A. Venkataratnam)

Dated: 29/03/2007.

Appellant in person.

Adv. Silvano Estibeiro represented the Respondent No. 1.

Mr Nilesh Sawant ,Authorized representative for the Respondent No. 2.

ORDER

This disposes off the second appeal dated 11/1/2007 against the order of first Appellate Authority dated 23/11/2006. The request for information was made by the Appellant to the Respondent No. 1 by his request dated 11/7/2006 for giving him information in respect of drains constructed in Sy. No. 118/15 and in Sy. No. 107/3 and give him the documents of the permissions for such constructions given by the competent authority and the Panchayat. The Respondent No. 1 has not given the information in time. Hence, the first appeal was filed by the Appellant before the Respondent No. 2 on 5/10/2006. While the matter was under hearing before the Respondent No. 2 the information was given on 23/11/2006 which the Appellant stated that it is incomplete. Thereupon the first Appellate Authority allowed the appeal and directed the

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Respondent No. 1 to give complete information which was complied with by the Respondent No. 1 on 7/12/2006. Not satisfied with the reply of the Respondent No. 1, the present second appeal has been filed on 11/1/2007.

2. Notices were issued and the written statements were filed by both the Respondents. Adv. Silvano Estibero on behalf of the Respondent No. 1 has submitted that the particular information has already been given. However, he bundled up a number of requests made earlier by the appellant to the Respondent No. 1 and made a grievance in the second appeal. These requests are made on 16/2/2006, 11/7/2006 as well as on 27/4/2006, 28/4/2006 etc. Besides, he has enclosed lot of correspondence dealt with various authorities like Dy. Director of Panchayats, B.D.O. etc. None of these matters were agitated before the first Appellate Authority. Hence, they do not form part of this second appeal. We confine ourselves with the requests dated 11/7/2006 and the order of the first Appellate Authority dt. 23-11-06. The information was already given by the Panchayat .

3. On perusal of the reply given by the Panchayat, we find that all the information asked for by the request dated 11/7/2006 have been complied with. There is some delay in complying with the information i.e. till the first Appellate Authority has issued directions. No reasonable justification has been given for the delay by the Respondent No. 1. In fact, the Appellant was made to go from pillar to post to get the information which he is entitled under the Right to Information Act, 2005. He was put to inconveniences and the Commission directs the payment of compensation of Rs.2000/- to the Appellant from the Panchayat's funds by the Respondent No. 1 within 15 days from the date of this order. The Commission is not inclined to initiate penalty proceedings against the Respondent No. 1 as the request is already complied with though belatedly. In respect of his other requests, he has to file a proper second appeal after exhausting the remedy of first appeal. Hence, the appeal is partly allowed. Parties to be informed by post.

(A. Venkataratnam)
State Chief Information Commissioner

(G. G. Kambli)
State Information Commissioner