

GOA STATE INFORMATION COMMISSION

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

Appeal No. 80/2006/TCP

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

..... Appellant.

V/s.

1. Public Information Officer
Town & Country Planning Dept.,
Margao - Goa.
2. First Appellate Authority
Chief Town Planner,
Town & Country Planning Dept.,
Panaji - Goa.

..... Respondents.

CORAM:

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

(Per A. Venkataratnam)

Dated: 20/03/2007.

Appellant present in person.

Respondent No. 1 and 2 are also in person.

ORDER

The Appellant has made a request to the Town Planner of Margao as Public Information Officer on 24/10/2006 asking information on four points. The Public Information Officer has replied on 24/11/2006. Not satisfied with the reply, the Appellant moved the first Appellate Authority on 20/12/2006. The first Appellate Authority could not fix the case for hearing or pass any order within one month as provided under Section 19 of Right to Information Act, 2005. There upon the Appellant moved this Commission by his second appeal dated 25/01/2007. Notices were issued. The Appellant and Respondent No. 2 were present. The Respondent No. 1 is absent. The written statement was filed by the Respondent No. 2 and there is no statement from Respondent No.1. In his reply, the Respondent No. 2 stated that he could not hear the appeal and no order was passed. No reasons were stated.

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2. We have gone through the original request and reply by the Public Information Officer. All the four questions asked by the Appellant are replied to by the Public Information Officer. The Appellant was not satisfied with the reply to the first question, which reads as under: - "Please give me the names and designation of the officials with whom the revised plans of Mrs. Maria D'Souza C/o Anthony D'Souza (POA) were lying in your office from 04/7/2006 till today". The answer given by the Public Information Officer is "The information asked at para (a) pertains to administrative set up of this office and hence cannot be given".

3. The context in which the question arose was, one, Mrs. Maria D'Souza submitted a revised plan in respect of her new construction in survey No. 175/3 in the village of Benaullim. There appears to have been some objection from the Urban Health Centre, Margao. The revised plans were forwarded by the V. P. of Benaullim to the Town and Country Planning office of Margao, the Town Planner, Margao appears to have rejected the plans. This information is already given by the Public Information Officer to the Appellant to the subsequent questions No. 2 to question No. 4 of the same application for information. Thus, the first question presumes the Town Planning office has not taken any action regarding the approval/rejection of the revised plans submitted by Mrs. Maria D'Souza. As the action is already taken by the Town Planner by rejecting the plans of Maria D'Souza, no information by the Public Information Officer regarding the names and designation of the officials of the Town Planning office is called for. As already submitted by the first Appellate Authority, there was no order passed by him. We advise the first Appellate Authority to take up the appeals filed before him as early as possible and give his order within statutory period of one month provided to the first Appellate Authority. With these observations, we reject the second appeal as having no merit. Parties to be informed by post.

(A. Venkataratnam)
State Chief Information Commissioner

(G. G. Kambli)
State Information Commissioner