

GOA INFORMATION COMMISSION

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

Appeal No. 95/2007-08/VP

Mr. Harihar V. Chodankar,
D-5, 2nd Floor, Asilo Hospital, Doctor's Qtrs.,
Feira Alta, Mapusa, Bardez - Goa.

..... Appellant.

V/s.

1. Public Information Officer,
The Secretary,
Village Panchayat of Taligao,
Tiswadi - Goa.
2. First Appellate Authority,
The Block Development Officer,
Tiswadi Taluka, Panaji - Goa.

..... Respondents.

CORAM:

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

(Per A. Venkataratnam)

Dated: 10/01/2008.

Appellant in person.

Both the Respondents also in person.

INTERIM ORDER

The Appellant requested the Commissioner of Municipal Corporation of Panaji to provide him the plans, licences, occupancy certificates issued to one Ms. Felicidade Veronica Sequeira in respect of her house in Taleigao village. The Taleigao village was within the jurisdiction of Municipal Corporation of Panaji for sometime. The Municipal Commissioner has informed him that there are no records about this house in the Municipal Corporation. The Appellant approached the Village Panchayat of Taligao, Respondent No. 1 herein, with the same request. However, Village Panchayat also has informed him that there are no records with them. At the same time, the Respondent No. 1 has admitted that house tax is being collected for the House No. 20/160/A in Survey No. 279/1 of the Taleigao village and gave certain details like yearly assessed tax as well as the area of the house. As the Appellant did not get the information he wanted, namely plans, licences, occupancy certificates, he has appealed to the Director of Panchayats. The Block Development Officer, Tiswadi Block being the first

...2/-

Appellate Authority for the Village Panchayat of Taleigao, the appeal was transferred to him. The Block Development Officer accordingly heard the Appellant and closed the matter as per the roznama produced before us. In the roznama it is recorded that the Appellant has withdrawn his appeal. However, neither the Appellant has agreed to this nor the Block Development Officer could produce any application for the withdrawal. We, therefore, consider that the first appeal was wrongly disposed off by the Block Development Officer.

2. The Village Panchayat Secretary has no defence for withholding the information except that the record is not available in the Panchayat. It is also not clear whether only record of this house is not available with the Panchayat or records of all the houses of the Taleigao village which have been licensed by the then Municipal Corporation of Panaji before bifurcation were not available. We, therefore, direct both the Village Panchayat Secretary, Taleigao and Commissioner of Panaji Municipal Council, the Public Information Officers of the respective public authorities to file affidavits as to the correct position with respect to the transfer of records of the construction licences alongwith the plans and connected records of houses within the jurisdiction of Village Panchayat when Taleigao village formed part of the Panaji Municipal Corporation. We would like to know clearly whether all such files were transferred by the Panaji Municipal Council or not to the Village Panchayat Taleigao. The copy of this order should be sent to the Corporation of City of Panaji (CCP) as they are not a party before us. Both the authorities have to file their affidavits within the next 15 days from the date of the pronouncement of this order, i.e. on 25/01/2008.

Pronounced in the open court on this 10th day of January, 2008.

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

Sd/-
(G. G. Kamblu)
State Information Commissioner, GOA.