

# **GOA INFORMATION COMMISSION**

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

Complaint No. 03/2007-08/VP-Siolim

Shri Nelson D'Souza  
Maina, Sodiem,  
Siolim, Bardez - Goa.

..... Complainant.

V/s.

The Public Information Officer,  
The Secretary,  
V.P. Siolim, Sodiem,  
Bardez - Goa.

..... Opponent.

## **CORAM:**

Shri A. Venkataratnam  
State Chief Information Commissioner  
&  
Shri G. G. Kambli  
State Information Commissioner  
  
(Per G. G. Kambli)

Dated: 13/06/2007.

Complainant in person.

Opponent also in person.

## **ORDER**

This will dispose off the complaint dated 11/4/2007 filed by the Complainant against the Opponent. The case of the Complainant is that the Complainant vide his application dated 2/1/2007 requested the Opponent to provide the house number of the toilet/structure and the plan showing the required set back in the property bearing survey No. 235/8 of Shri Maximo Cutinho and in case there is no house/structure number then

2. What action has been taken in order to regularize/demolish the structure. The Opponent vide letter dated 22/1/2007 informed the Complainant that Shri Maximo Cutinho is paying the house tax bearing House No. 458/7A. The Opponent also informed the Complainant that as per the records of the Panchayat no complaint is found recorded in the illegal register for construction of open toilet by Shri Maximo Cutinho.

3. Having not satisfied with the reply of the Opponent, the Complainant filed an appeal dated 9/2/2007 before the first Appellate Authority. The first

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Appellate Authority by his order dated 6/3/2007 directed the Opponent to provide the necessary information to the Complainant after verifying and carrying out the site inspection within 30 working days. Accordingly, the Opponent vide letter dated 13/4/2007 informed the Complainant that there is no house number for the structure/toilet recorded in the Panchayat register and the house number mentioned in the earlier letter was of the residential house of Shri Maximo Cutinho.

4. The Complainant in his application dated 6/6/2007 filed before this Commission has stated that the information provided in para 2 and 3 are not as per the requirements. As per the point No. 3 of the application dated 2/1/2007, the Complainant wanted to know the action taken either to regularize or demolish the structure if there is no house number. The Opponent has already informed the Complainant that there is no complaint recorded in the complaint register of illegal construction of construction of toilet by Shri Maximo Cutinho. It is not clear from the application of the Complainant as to whether the Complainant has made any grievance to the Village Panchayat of Sodiem Siolim regarding the illegal construction of the said toilet by Shri Maximo Cutinho in the property bearing survey No. 235/8. If the Complainant has made such complaint to the Panchayat, it would have been easy for the Opponent to inform the Complainant about the action taken on his complaint.

5. The information sought by the Complainant is of general nature and not specific and therefore, the Complainant should make a request with a specific point giving the details of the decision of the Panchayat whether the Panchayat has decided to take action against the alleged construction of toilet. The Opponent cannot manufacture and provide the information to the Complainant. The date of the alleged construction of toilet by Shri Maximo Cutinho is also not given by the Complainant to enable the Opponent to search for the records of the relevant period.

6. In view of the above, we do not find any substance in the complaint and hence, we reject the same. Parties to be informed.

(G. G. Kambli)  
State Information Commissioner

(A. Venkataratnam)  
State Chief Information Commissioner

