

## **GOA INFORMATION COMMISSION**

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

Complaint No. 10/2007-08/TCP

Mr. Moreshwar N. P. Navelkar  
Senior Citizen,  
Syne Court Building, 2<sup>nd</sup> Floor,  
Near Gomantak Bhavan,  
St. Inez, Panaji – Goa.

..... Complainant.

V/s.

Public Information Officer,  
Town Planner,  
Town & Country Planning Department,  
Dempo Tower, Patto, Panaji - Goa.

..... Opponent.

### **CORAM :**

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

(Per A. Venkataratnam)

Dated: 14/11/2007.

Complainant alongwith his Adv. Amol Thali present.

Opponent in person.

### **ORDER**

This complaint is regarding non-execution of the orders passed by this Commission on 12/01/2007 in Appeal No. 44/2006 under section 19(3) of the Right to Information Act, 2005 (for short the RTI Act). The grievance is that complete information was not furnished even after the order is passed by the Commission and whatever was furnished is false, incomplete and misleading. They have mentioned how it is incomplete, false and misleading by their letter dated 4/4/2007 addressed to the Opponent herein. Copy of this letter is not on record though this complaint states at para 4 that it is enclosed.

2. Notices were issued and the replies were filed by both the parties and the matter was argued also before us. The Opponent has submitted all the records available with him and submitted that he has given whatever is asked for by the Complainant. When the notings of his files were not clear, he has even transcribed and retyped everything and has given complete

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information clearly. The Advocate for the Complainant on the contrary, submitted that there are a number of notings in which the PDA has admitted that they have wrongly approved the Sub-Division of plots bearing No. 27/1 situated in Baiguinim, Old Goa in 1985 and 1987 and that the Complainant's property was sub divided without the Complainant's knowledge and concurrence on wrong submissions and a deed of partition without the plan attached to it. He has also drawn our attention to another note of the Town and Country Planning department saying that the fixation of property boundary stones and the demarcation of the property is not clear and requires investigation.

3. What the Complainant wants to achieve by this complaint and his earlier second appeal is to get an admission from the present Public Information Officer that the Department of Town & Country Planning and P.D.A. of North Goa at the relevant time have committed a mistake while approving the sub-division of the plot mentioned above encroaching on a part of land belonging to the Complainant. This is outside the scope of the RTI Act. Whatever records are available are already furnished by the Opponent and our order dated 12/1/2007 stands complied with. In view of the above, the present complaint is dismissed.

Pronounced in the open court on this 14<sup>th</sup> day of November, 2007.

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

Sd/-  
(G. G. Kampli)  
State Information Commissioner

/sf.