

GOA INFORMATION COMMISSION

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

Complaint No. 61 / 07-08

Mr. L. F. Pereira,
Hno: 1, Thondvaddo,
Betalbatim, Salcete - Goa.

..... Complainant

V/s

1. The Public Information Officer,
The Secretary,
Village Panchayat of Betalbatim,
Betalbatim, Salcete - Goa. Opponent No.1...
2. The Block Development Officer,
Salcete Taluka,
Margao - Goa. Opponent No.2...
3. The Deputy Director of Panchayats,
South Goa,
Margao - Goa. Opponent No.3...

CORAM:

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

(Per G. G. Kambli)

Dated: 16/07/2008.

Complainant absent.

O R D E R

This will dispose off the Complaint dated 28/12/2007 made by the Complainant. The grievances of the Complainant are that the Complainant has approached the Sarpanch of the Village Panchayats of Betalbatim, Salcete and also the Block Development Officer, Salcete seeking information under the Right to information Act 2005 (for short the Act). However, he has not received any response from them and therefore, the Appellant has sought the advice so that the information sought by the Complainant is made available. The Complaint was fixed for hearing on 6/02/2008. However, the Complainant sought adjournment on the ground that the Complainant would be out of India from 1st February, 2008 for the period of about 1 to 2 months for medical treatment. Hence, the hearing was adjourned to 25/03/2008. Again on 25/03/2008 the Complainant

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remained absent and sought further adjournment on the same ground that Complainant will be out of station, request was granted and the hearing was adjourned to 09/07/2008. The notice of this hearing was also issued to the Complainant. However, the Complainant again remained absent and hence the matter was posted for order.

2. The Appellant has not approached the proper authority seeking the information. The Opponent has addressed the application to the Sarpanch who is not the Public Information Officer designated under the Act. In respect of the Village Panchayat, the respective Village Panchayat Secretary has been designated as the Public Information Officer and therefore citizen seeking information from the Panchayat should address their application to the Public Information Officer and Village Panchayat Secretary of the concerned Village Panchayat. Similarly, the Block Development Officer are appointed as First Appellate Authority before whom the first Appeal can be preferred against the decision of the Village Panchayat Secretary under the Act. In the present case, the Opponent has not approached the proper authority and has not followed the procedure as laid down in the Act. Hence, we cannot entertain his Complaint and the same is rejected.

3. Pronounced in the open Court on this 16th day of July, 2008.

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

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