

**BEFORE THE STATE INFORMATION COMMISSION**  
**MAHARASHTRA – KONKAN REGION**  
**Appeal under Section 19(3) of RTI Act 2005.**  
**Appeal No.KR-419/2009**

Shri Harischandra Joma Mhatre, ..... Appellant.  
A-5, Lane No. 8, Sector-9, C.B.D., Belapur,  
Navi Mumbai : 400 614.

**V/s.**

**Public Information Officer,** ..... Respondent  
Chief Lands Rehabilitation Officer, CIDCO,  
CIDCO Bhavan, C.B.D., Belapur,  
Navi Mumbai :400 614.

**The Appellate Authority,**  
Joint Managing Director, CIDCO,  
CIDCO Bhavan, 2<sup>nd</sup> floor, C.B.D., Belapur,  
Navi Mumbai :400 614.

**Facts:** A copy of the above appeal is annexed.

**Interim Decision**

Appellant filed the first appeal u/s 19 (1) of the Right To Information Act but prima facie there is no decision by First Appellate Authority.

I, therefore, remand this case to the First Appellate Authority for inviting and giving a hearing to the appellant for examining the points raised by him in his appeal with a view to provide maximum information if due under the act and give appellant better satisfaction by issuing a reasoned order.

A compliance report should be sent within 45 days by the First Appellate Authority to me.

Sd/--

(Navin Kumar)

State Information Commissioner  
Konkan Region

Konkan Bhavan,  
Belapur, Navi Mumbai.  
Date:- 17<sup>th</sup> March, 2009.

**Interim Decision**

Appellant is present. Representative of the Public Information Officer Shri A.L.Kamble, Asstt. Land Acquisition Officer, CIDCO is present.

It is a pity that the First Appellate Authority has not yet given any decision in pursuance of the interim decision dated 17<sup>th</sup> March, 2009.

Managing Director, CIDCO should look into this case and take corrective action to motivate the First Appellate Authority to do his duties under the Right to Information Act, 2005.

Next date for hearing will be 26<sup>th</sup> October, 2009 at 11.00 A.M.

(Navin Kumar)

State Information Commissioner  
Konkan Region

Konkan Bhavan,  
Belapur, Navi Mumbai.  
Date:- 1<sup>st</sup> September, 2009.

**राज्य माहिती आयोग, महाराष्ट्र, कोंकण खंडपीठ यांचे समोर**  
**माहितीचा अधिकाऱ्यांमध्यम २००५ चे कलम १९(३) अन्वये अपिल.**  
**अपिल क्रमांक : केआर-620/2009**

श. शैकत शेखलाल शेख,  
महागिरी कोळीवाडा, ठाणे.

...

**अंतरिम**

जन माहिती अधिकारी,  
तहसिल कार्यालय, वाशी,  
तालुका वाशी, जिल्हा उस्मानाबाद.

...

प्रथम अपिलीय प्राधिकारी,  
तहसिल कार्यालय,  
तालुका वाशी, जिल्हा उस्मानाबाद.

...

**अंतरिम निर्णय**

अपिलार्थी उपस्थित. जन माहिती अधिकारी यांचे प्रतिनिधी श्री बी.ई. ओव्हाळ, तलाठी  
गोजवाडा, तालुका वाशी, जिल्हा उस्मानाबाद उपस्थित आहेत.

सोबत जोडलेल्या टिपणी प्रमाणे अहवाल तलाठी यांनी आयोगास सादर करावा.

कोंकण भवन,  
बेलापूर, नवी मुंबई : ४०० ६१४.  
दिनांक : 17 ऑक्टोबर 2009.

( नवीन कुमार )  
राज्य माहिती आयुक्त,  
कोंकण खंडपीठ

**BEFORE THE STATE INFORMATION COMMISSION**  
**MAHARASHTRA – KONKAN REGION**  
**Appeal under Section 19(3) of RTI Act 2005.**  
**Appeal No.KR-1034/2009**

Shri Khemchandani D.N.,  
Block – A-247, Room No.493,  
Near Narain M. Khemchandani Chowk,  
Baba Sai Nagar, Ulhasnagar : 421 004.

..... Appellant.

**V/s.**

Public Information Officer,  
Junior Engineer, Town Planning Department,  
Ulhasnagar Municipal Corporation,  
District : Thane.  
The Appellate Authority,  
Town Planner, Town Planning Department,  
Ulhasnagar Municipal Corporation,  
District : Thane.

..... Respondent

**Facts:** A copy of the above appeal is annexed.  
Date of Original Application :- 03/02/2009  
Date of First Appeal :- 21/03/2009  
Date of Decision by F. A. A.:- -----

**Interim Decision**

Appellant filed the first appeal u/s 19 (1) of the Right to Information Act but prima facie there is no decision by First Appellate Authority.

I, therefore, remand this case to the First Appellate Authority for inviting and giving a hearing to the appellant for examining the points raised by him in his appeal with a view to provide maximum information if due under the act and give appellant better satisfaction by issuing a reasoned order.

A compliance report should be sent within 45 days by the First Appellate Authority to me.

Sd/--

(Navin Kumar)

State Information Commissioner  
Konkan Region

Konkan Bhavan,  
Belapur, Navi Mumbai.  
Date:- 22<sup>nd</sup> June, 2009.

**अंतरिम निर्णय**

अपिलार्थी उपस्थित. जन माहिती अधिकारी श्री विनोद खामितकर, कनिष्ठ अभियंता, नगर रचना विभाग, उल्हासनगर महानगरपालिका उपस्थित आहेत.

खेदाची बाब आहे की, प्रथम अपिलीय प्राधिकारी यांनी अद्यापही निर्णय दिलेला नाही.

हे प्रकरण महापालिका आयुक्तांच्या निदर्शनांस जन माहिती अधिकारी यांनी आणावे व त्यांनी प्रथम अपिलीय प्राधिकारी यांना सत्वर सुनावणी देऊन निर्णय देण्यास प्रवृत्त करावे.

कोंकण भवन,  
बेलापूर, नवी मुंबई : ४०० ६१४.  
दिनांक : 19 जून 2009.

( नवीन कुमार )  
राज्य माहिती आयुक्त,  
कोंकण खंडपीठ

**राज्य माहिती आयोग, महाराष्ट्र, कोंकण खंडपीठ यांचे समोर**  
**माहितीचा अधिकार अधिनियम २००५ चे कलम १९(३) अन्वये द्वितीय अपिल.**  
**अपिल क्रमांक : केआर-638/2009**

श्री. श्याम हरिश्चंद्र राऊत,  
महात्मा गांधी चौक,

... अपिलकर्ता

• ०/१०० नगरपरिषद कार्यालयाशेजारी,  
मु.पो. तालुका जव्हार, जिल्हा ठाणे.

**श्री. ए.एम. बोडके**

जन माहिती अधिकारी,  
उप विभागीय अभियंता,  
सार्वजनिक बांधकाम उपविभाग, जव्हार क्र.१,  
तालुका जव्हार, जिल्हा ठाणे.

... **०/१००**

प्रथम अपिलीय प्राधिकारी,  
कार्यकारी अभियंता,  
सार्वजनिक बांधकाम विभाग, जव्हार,  
तालुका जव्हार, जिल्हा ठाणे.

आदेशाचे तसेच प्रथम अपिलीय प्राधिकारी यांच्या

**निर्णय**

अपिलार्थी उपस्थित. जन माहिती अधिकारी श्री ए.एम. बोडके, उप अभियंता, सार्वजनिक बांधकाम उपविभाग जव्हार क्र.१ तसेच प्रथम अपिलीय प्राधिकारी श्री एन. बी. मोडके, कार्यकारी अभियंता, सार्वजनिक बांधकाम विभाग, जव्हार, तालुका जव्हार, जिल्हा ठाणे उपस्थित आहेत.

जन माहिती अधिकारी यांनी अक्षम्य निष्काळजीपणा या प्रकरणांत दाखविलेला आहे. प्रथम अपिलीय प्राधिकारी यांच्या दिनांक २४ मार्च २००९ रोजीच्या आदेशानुसार माहिती पुरविण्यांत आलेली नाही.

आतां, प्रथम अपिलीय प्राधिकारी श्री एन. बी. मोडके, कार्यकारी अभियंता यांनी या प्रकरणांत सोबत जोडलेल्या नमुन्यांत उचित प्रपत्रांसह माहिती देण्याची व्यवस्था १५ दिवसांत करावी.

जन माहिती अधिकारी यांचेवर उप सचिव यांनी दंडनिय कारवाई करीतां कारणे दाखवा नोटीस निर्गमित करावी.

कोंकण भवन,  
बेलापूर, नवी मुंबई : ४०० ६१४.  
दिनांक : १९ सप्टेंबर, २००९.

**( नवीन कुमार )**  
राज्य माहिती आयुक्त,  
कोंकण खंडपीठ

**BEFORE THE STATE INFORMATION COMMISSION**

**MAHARASHTRA – KONKAN REGION**

**Appeal under Section 19(3) of RTI Act 2005.**

**Appeal No.KR-304/2009**

Shri Satish M. Talanikar,  
D-701, Kalpataru Arcade Co-op. Hsg. Society,  
Plot No. 230, Sector-4, New Panvel : 410 206\_

..... Appellant

V/s.

**Public Information Officer,**  
CIDCO Nodal Office, Sector-15,  
New Panvel, Taluka :Panvel, Dist : Raigad.

..... Respondent

**The Appellate Authority,**  
CIDCO Bhavan, C.B.D., Belapur,  
Navi Mumbai : 400 614.

**Facts:** A copy of the above appeal is annexed.

**Interim Decision**

Appellant filed the first appeal u/s 19 (1) of the Right To Information Act but prima facie there is no decision by First Appellate Authority.

I, therefore, remand this case to the First Appellate Authority for inviting and giving a hearing to the appellant for examining the points raised by him in his appeal with a view to provide maximum information if due under the act and give appellant better satisfaction by issuing a reasoned order.

A compliance report should be sent within 45 days by the First Appellate Authority to me.

Sd/--

(Navin Kumar)

State Information Commissioner  
Konkan Region

Konkan Bhavan,  
Belapur, Navi Mumbai.

Date:- 18<sup>th</sup> February, 2009.

**अंतरिम निर्णय**

श्री. सतिश म. तलनिकर उपस्थित. सहाय्यक जन माहिती अधिकारी श्री पी.एन. भगत तसेच प्रथम अपिलीय प्राधिकारी यांचे प्रतिनिधी श्री के. एस. पाटील, सिडको मर्यादित उपस्थित आहेत.

जन माहिती अधिकारी यांनी, मूळ अर्ज दिनांक ५/७/२००८ रोजी मिळाल्यानंतर सुमारे ८ महिन्यांपर्यन्त कोणताही प्रतिसाद दिलेला नाही ही अत्यंत गंभीर बाब आहे. विलंबास जबाबदार धरून जन माहिती अधिकारी श्री विवेक मराठे, व्यवस्थापक (शहर सेवा) सिडको मर्यादित यांनी कारण दाखवावे की, त्यांचे विरुद्ध दंडात्मक कारवाई कां करण्यांत येऊ नये.

श्री. सतिश म. तलनिकर अपिल दिनांक २०/८/२००८ रोजी दाखल केले. त्यावर देखील कोणताही निर्णय नालेला नाही, म्हणून द्वितीय अपिल दिनांक ३१/१/२००९ रोजी आयोगाकडे करण्यांत आलेले आहे.

आतां या प्रकरणी जन माहिती अधिकारी यांनी एक तपशिलवार टिपणी, ज्यात प्रश्नांविषयी भूखंडावर नालेल्या १८ सदनांकांच्या बांधकामांची व त्यांत राहणा-यांच्या अडचणींचा उल्लेख करून व्यवस्थापकीय संचालक, सिडको मर्यादित यांना सादर करावी. सदरच्या टिपणीची एक प्रत आयोगास व अपिलकर्त्यास १५ दिवसांत पोष्टाने पाठविली जाईल असे ठरले.

कोंकण भवन,  
बेलापूर, नवी मुंबई : ४०० ६१४.  
दिनांक : २२ सप्टेंबर, २००९.

( नवीन कुमार )  
राज्य माहिती आयुक्त,  
कोंकण खंडपीठ

**BEFORE THE STATE INFORMATION COMMISSION**

**MAHARASHTRA – KONKAN REGION**

**Appeal under Section 19(3) of RTI Act 2005.**

**Appeal No.KR- 122/2009.**

Shri Sanjaykumar Damodar Surve,  
302, Saburi Apartment, Plot No.41,  
Sector-5, Sanpada, Navi Mumbai ; 400 703.

..... Appellant.

V/s.

**Public Information Officer,**

..... Respondent

General Manager (SEZ),  
CIDCO Ltd., CIDCO Bhavan, 6<sup>th</sup> floor,  
C.B.D., Belapur, Navi Mumbai ; 400 614.

**The Appellate Authority,**  
Managing Director,  
CIDCO Ltd., CIDCO Bhavan, 2<sup>nd</sup> floor,  
C.B.D., Belapur, Navi Mumbai ; 400 614.

**Facts :** A copy of the above appeal is annexed.

**Interim Decision.**

It is seen that the First Appellate Authority has given a decision in this case and the appellant, not being satisfied with the same, has again come before me under Section 19 (3) for a second appeal.

The nature of information sought is of a factual nature

I would prefer another dialogue between the First Appellate Authority and the appellant as that would open up the possibility of giving better satisfaction to the appellant much faster without the need for both parties to spend valuable time, energy and travel expenses in coming to Commission's office.

I, therefore, remand this case to the First Appellate Authority for inviting and giving a hearing to the appellant for examining the points raised by him in his appeal with a view to provide maximum information if due under the R.T.I. Act, 2005 in case the information asked for is related to more than one Public Information Officer, then all the concerned Information Officer should be invited for the hearing and thereafter issue a fresh reasoned order with a view to give better satisfaction to the appellant.

In case, however the First Appellate Authority be of the strong view that a second hearing would serve no purpose then he should send his detailed justification for such a view and comments on the points raised by the appellant in his appeal application. ( copy attached ) within 15 days.

A compliance report should be sent within 45 days.

Sd/--  
(Navin Kumar)  
State Information Commissioner  
Konkan Region

Konkan Bhavan,  
Belapur, Navi Mumbai.  
Date:- 20<sup>th</sup> January, 2009.

**Interim Decision.**

Appellant is present. Public Information Officer Shri Jayant R. Kulkarni, General Manager (SEZ) CIDCO Ltd., CIDCO Bhavan, Navi Mumbai is present.

CIDCO may give a copy of their letter dated 20.7.2009 as also the copies of letters of NMSEZ SKIL and Dronagiri Infrastructure Pvt. Ltd, expressing their views under Section 11 of the Right to Information Act. The appellant should give his comments on these four letters within 15 days.

Similarly, a copy of the Development Plan published by NMSEZ has been given to the appellant for reading and to state within 15 days, if he would still maintain his request for a copy of the Business Plan submitted in response to the open bidding process. Next date of hearing is 26<sup>th</sup> October, 2009 at 3-30 p.m.

Sd/---  
(Navin Kumar)  
State Information Commissioner  
Konkan Region

Konkan Bhavan,  
Belapur, Navi Mumbai.  
Date:- 23 September, 2009.

P.T.O ...