

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 81/01

Shri Rodge Mallikarjun Ramrao,
Saraswati Vidyamandir Amtem,
Taluka Pen, District:- Raigad.

.... Appellant

V/s

Public Information Officer,
Secretary/Chairman,
Jagruti Shikshan Prasark Mandal, Pedli,
Taluka Sudhagad-Pali,
District:- Raigad.

..... Respondent

The Appellate Authority,
Education Officer,
Raigad Zilla Parishad,
Alibag, Dist.-Raigad.

Facts:

The appellant by an application dated 1.04.2006 asked information and documents regarding service matters of employees of Jagruti Shikshan Mandal from academic year 1987-88 to 2005-06.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 20th August,2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order on the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 19.10.2006 indicating that information asked for has not been made available to him.

Decision

Appellant is present. Shri Milind Jaysing Gole, Head Master, Hetevane Madhyamic Shala, Vakrul, Pen, Raigad is present on behalf of Jagruti Shikshan Prasarak Mandal. It is a pity that about two years have passed and no information is given, Shri Gole has undertaken to give all the relevant information like, seniority lists, copies of proposals and copies of orders from Z.P. for creation of posts etc on 8th May 2008.

The Secretary of Jagruti Shikshan Prasarak Mandal should also show cause, why penalty should not be imposed for undue delay beyond 30 days.

(Navin Kumar)

State Information Commissioner

Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 3rd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 82/01

Shri Imtiyaz Ismail Sheikh,
4, Shanti Sadan, Near Raj Cinema,
Tembhode Road, Palghar,
District:- Thane 401 404

.... Appellant

V/s

Public Information Officer,
Chief Officer,
Palgahr Municipal Council,
Palghar, District:-Thane.

..... Respondent

The Appellate Authority,
Deputy Commissioner(General),
Divisional Commissioner's Office,
Konkan Bhavan, Belapur,
Navi Mumbai.

Facts:

The appellant by an application dated 10.05.2006 asked information and documents regarding approval to construction of Shubham Apartments A,B and C.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 11.09.2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority dismissed the appeal by order dated 11.10.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 14.11.2006 indicating that information asked for has not been made available to him.

Decision

It is a pity that the simple information asked for has not been supplied for more than 1 ½ years.

Public Information Officer is present. Appellant is present. Appellant has shown the acknowledgement of his application. Public Information Officer says that he has not received the application. Public Information Officer undertakes to give information to the appellant at 11.30 A.M. on 9.5.08. Compliance to be sent by Public Information Officer to me.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 3rd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 83/01

Shri Imtiyaz Ismail Sheikh,
4, Shanti Sadan, Near Raj Cinema,
Tembhode Road, Palghar,
District:- Thane 401 404

.... Appellant

V/s

Public Information Officer,
Chief Officer,
Palghar Municipal Council,
Palghar, District:-Thane.

..... Respondent

The Appellate Authority,
Deputy Commissioner(General),
Divisional Commissioner's Office,
Konkan Bhavan, Belapur,
Navi Mumbai.

Facts:

The appellant by an application dated 10.05.2006 asked information and documents regarding sanction of non agriculture permission in respect of land situated at Mauje Palghar, Plot No.17 Survey No. 182 D.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 08.06.2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority dismissed the appeal by order dated 11.10.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 08.06.2006 indicating that information asked for has not been made available to him.

Decision

Public Information Officer and Appellant both are present. It is a pity that information has not been supplied for more than 1 ½ years.

Public Information Officer Shri P.S.Patre, Chief Officer undertakes to supply the information on 9.5.08 at 11.30 A.M. Compliance report to be submitted by Public Information Officer.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 3rd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 84/01

Shri Anilkumar M. Choradia,
At and Post Dahanu, Main Road,
District-Thane 401601.

.... Appellant

V/s

Public Information Officer,
Chief Officer,
Dahanu Municipal Council,
Palghar, District:-Thane.

..... Respondent

The Appellate Authority,
Deputy Commissioner(General),
Divisional Commissioner's Office,
Konkan Bhavan, Belapur,
Navi Mumbai.

Facts:

The appellant by an application dated 14.08.2006 asked information and certified copies of documents regarding purchase deeds of property No.182 Shri Pravin Bafna, 182/1 and 1831 Smt. Surekha Nahar.

The Public Information Officer supplied the information to the appellant.

The appellant not satisfied with the reply filed the first appeal before the First Appellate Authority on 25.08.2006 indicating that certified copies of documents and information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority dismissed the appeal by order dated 18.09.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 24.10.2006 indicating that the first appellate authority has dismissed the first appeal.

Decision

Appellant is present. Public Information Officer undertakes to again give the desired information with appropriate certification on 9.5.08 at 10.30 A.M. Compliance to be submitted by Public Information Officer.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 3rd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 86/01

Shri Gajanan V. Thale,
Sarva Shramik Sangh,
Neelkanth Apartments,
Opp. Bhadkamkar Hospital,
Mahagiri, Thane.

.... Appellant

V/s

Public Information Officer,
District Malaria Officer,
Thane Collector Office compound,
Thane (West).
The Appellate Authority,
The Assistant Director,(Malaria & Faliria)
Office of the Health services,
Konkan Bhavan , New Mumbai.

..... Respondent

Facts:

The appellant by an application dated 14.10.2005 asked information and details of temporary employees including seniority list and arrears of fifth pay commission.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 18.01.2006 indicating that the information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority did not pass any order on the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 03.11.2006 indicating that the information asked for has not been made available to him.

Decision

First Appellate Authority, Dr. N.B. Solanke, Assitt. Director of Health Services, Public Information Officer Miss R.C. Poredi, District Malaria Officer and the Appellant are present.

Seniority lists have been given but the list of names with amounts due , due to difference has not been given as the same is still not ready and payment have not been done. Some records have been destroyed due to fire.

Since the First Appellate Authority has not given a hearing the case is remanded to him for giving a hearing within 15 days and decision for furnishing the present stage of the work of giving arrears with details of reasons for the delay. Compliance to the reported by First Appellate Authority.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 3rd May, 2008

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 87/01

Shri Bhagwan Gopal Davane,
C//o Sarva Shramik Sangh,
Neelkanth Apartments,
Opp. Bhadkamkar Hospital,
Mahagiri, Thane.

.... Appellant

V/s

Public Information Officer,
District Maleria Officer,
Thane Collector Office compound,
Thane (West).

..... Respondent

The Appellate Authority,
The Assistant Director,(Maleria & Faliria)
Office of the Health services,
Konkan Bhavan , New Mumbai.

Facts:

The appellant by an application dated 09.11.2005 asked information regarding service matters of employees viz. Shri A.P.Bodhe, Shri P.V.Dalvi and Shri M.S.Patil and muster roll of other employees.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 18.01.2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order on the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 30.10.2006 indicating that information asked for has not been made available to him.

Decision

First Appellate Authority and Public Information Officer are present. Appellant is present.

Public Information Officer is unable to trace out the first appointment orders of the four employees. The case is remanded to First Appellate Authority. He should give a hearing to the appellant and give a decision with a view to give maximum possible information. Compliance within a month to be reported to me.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 3rd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 88/01

Shri Rajesh Prabhakar Shete, Appellant
A Type 3112, Kasbekar Park,
H.O.C. Colony, At Post:Rasayani,
Taluka-Khalapur,
District:-Raigad-410207.

V/s
Public Information Officer, Respondent
Deputy Director,
Directorate of Industrial Safety and Health,
Raigad, Room No.627, 6th floor,
Konkan Bhavan, Belapur,
Navi Mumbai.

The Appellate Authority,
Joint Director,
Directorate of Industrial Safety and Health,
Raigad, Room No.627, 6th floor,
Konkan Bhavan, Belapur,
Navi Mumbai.

Facts:

The appellant by an application dated 15.05.2006 asked for detailed information and documents regarding industrial safety measures implemented by Cipla Limited at its manufacturing plant at Patalganga, Taluka-Khalapur, District Raigad.

The Public Information Officer supplied the information to the appellant by letter dated 9.06.2006.

The appellant thereafter filed the first appeal before the First Appellate Authority on 28.06.2006 indicating that the complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority passed an order on the first appeal on 18.08.2006 directing the P.I.O. to supply complete information within 15 days.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 15.11.2006 indicating that complete information asked for has not been made available to him.

Decision

Appellant is present. First Appellate Authority and Public Information Officer are present. I have heard both side. I find that after the First appeal additional information has been provided. I do not wish to interfere with the First appeal decision. This appeal therefore stands disposed.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 3rd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 89/01

Shri Bhaskar M. Kanitkar,
483, Sidhai, Kawale Paroda,
At Hatale, Post Nagaon
Taluka Alibag,
District Raigad.

.... Appellant

V/s

Public Information Officer,
Executive Engineer,
Maharashtra State Electricity Distribution Co. Ltd.,
Viduyt Nagar, Bhingari,
Panvel 410 206.
District:- Raigad.

..... Respondent

The Appellate Authority,
Executive Engineer,
Maharashtra State Electricity Distribution Co. Ltd.,
Viduyt Nagar, Bhingari,
Panvel 410 206.
District:- Raigad.

Facts:

The appellant by an application dated 23.06.2006 asked information regarding exemption given from load shedding on 19.06.2006.

The Public Information Officer supplied the information to the appellant on 9.08.2006.

The appellant not satisfied with the reply filed the first appeal before the First Appellate Authority on 4.09.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority supplied the information again on 20.09.2006

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 10.11.2006 indicating that complete information asked for has not been made available to him.

Decision

Heard the Appellant.

I have gone through the case. The matter has been consider at the level of Public Information Officer as well as First Appellate Authority. I do not find any reason to interfere with the decision of First Appellate Authority. The appeal stands disposed.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 3rd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 100 /01

Shri Vidyadhar Nathuram Powale, Appellant
303, Shree Jaimalhar CHS,
Near Annapurna Hotel,
Ahilyabai Chowk,
Kalyan(West), Dist.-Thane.

V/s

Public Information Officer, Respondent
Senior Inspector of Police,
Mahatma Phule Chowk Police Station,
Kalyan, District:-Thane.
The Appellate Authority,
Deputy Commissioner of Police,
Zone-3, Kalyan, Dist.-Thane.

Facts:

The appellant by an application dated 19.08.2006 asked information regarding the action taken by the Police department on the application dated 3.07.2006 submitted to the Hon'ble Home Minister.

The Public Information Officer supplied the information to the appellant 26.08.2006

The appellant thereafter filed the first appeal before the First Appellate Authority on 12.09.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 15.09.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 09.10.2006 indicating that information asked for has not been made available to him.

Decision

No one is present from the Police Department.

Appellant is present. Detailed discussions have been held with him. He wishes to know the opinion of the investigation officer of the Police Station. The case is also subjudice in the court of the Judicial Magistrate. Kalyan where all written submissions of the Police Department are to be made. There is therefore no scope of intervention with the order already passed by the First Appellate Authority. This appeal stands disposed accordingly.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 5th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 95 /01

Shri Atul Narayan Kirpekar, Appellant
7, Samadhan Shankuntal Society,
Near Model English School,
Pandurang Wadi, Manpada Road,
Dombivli (East) , Taluka Kalyan,
District:- Thane.

V/s

Public Information Officer, Respondent
Deputy Executive Engineer,
Maharashtra State Electricity Distribution Co. Ltd,
Tejashree, Ground Floor,
Jahangir Maidan, Karnik Road,
Kalyan(West)- 421301.
The Appellate Authority,
Executive Engineer,
Maharashtra State Electricity Distribution Co. Ltd,
Tejashree, Ground Floor,
Jahangir Maidan, Karnik Road,
Kalyan(West)- 421301.

Facts:

The appellant by an application dated 9.08.2006 asked information regarding Shri Sanjay Nage, Sub Engineer working in the company at Sub Division No.2 at Kalyan (West).

The Public Information Officer supplied the information to the appellant by letter dated 1.09.2006.

The appellant thereafter filed the first appeal before the First Appellate Authority on 05.10.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer .

The First Appellate Authority disposed off the appeal by an order dated 10th November, 2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 18.11.2006 indicating that information asked for has not been made available to him.

Decision

Appellant is present. Public Information Officer and the First Appellate Authority are present.

Detailed discussion has taken place about the five points on which information has been asked. Information about only point 1 is given and the remaining information has not been given. This is not in conformity with the R.T.I. Act.

The Public Information Officer should give full information about the caste, educational qualification, pay scales and properly of the person concerned (Shri Sanjay Dinanath Nage) obtaining it either from corporate records or directly from Shri Nage within a period of 15 days and report compliance.

(Navin Kumar)

State Information Commissioner

Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 5th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 92 /01 (and appeal No 2008/91/01)

Shri Khalil Ali Talkar, Appellant

At Post Bankot,

Taluka Mandangad,

District- Ratnagiri.

V/s

Public Information Officer, Respondent

Port Officer,

Maharashtra Maritime Board,

Bandar Road, Mandvi,

District-Ratnagiri. 415 612.

The Appellate Authority,

Chief Port Officer,

Indian Mercantile Chambers,

3rd floor, Ramjibahi Kamani Marg,

Ballard Estate, Mumbai.400 038.

Facts:

The appellant by an application dated 22.05.2006 asked information the policy of the Government terms and condition for inline and outline barges.

The Public Information Officer supplied the information to the appellant on 22.06.2006.

The appellant thereafter filed the first appeal before the First Appellate Authority on 11.07.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 24.07.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 16.10.2006 indicating that information asked for has not been made available to him.

Decision

Captain Shri J.B.Rohilla, Chief Port Officer and the First Appellate Authority(F.A.A.) and Port Inspector Shri P.V. Agashe, Kelshi, Ratnagiri are present. The decision of the First Appellate Authority dated 24/7/06 does not give the information asked for and has to be set aside.

The F.A.A. should give full information on all the three points mentioned in his letter of 24/7/2006 viz , a copy of the agreement between the Port and Ashapura Mines Company, as also the act, rules, regulations and administrative orders, for the plying of barges at ports. After supplying the information by post the F.A.A. should give a hearing to the appellant and thereafter give any supplementary information asked by the appellant.

Compliance report may be sent to me within 30 days.

This decision apply to appeal No.2008/91/01.

(Navin Kumar)

State Information Commissioner

Konkan Region

Konkan Bhavan,

Belapur, Navi Mumbai.

Date:- 5TH May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 96 /01

Smt Rekha J. Bhalerao, Appellant
Plot No. 110, Swarup CHS,
Utkarsh Nagar, Kuvarbav,
Taluka and District:- Ratnagiri.

V/s

Public Information Officer, Respondent
Superintendent,
Office of the Education Officer,
Zilla Parishad, Ratnagiri.
The Appellate Authority,
Education Officer,(Secondary),
Zilla Parishad, Ratnagiri.

Facts:

The appellant by an application dated 28.06.2006 asked information and documents pertaining to:-

- a) Seniority list of teachers in R.B.Shirke High School,
- b) Approval to Mrs. Vrunda Gandhi for the post of Superintendent in the above school and its details,
- c) The resolutions about the appellant submitted to the Education Officer in the meeting dated 22.06.2006.

The Public Information Officer supplied the information to the appellant on 30.06.2006.

The appellant not satisfied with the reply filed the first appeal before the First Appellate Authority on 18.07.2006 indicating that complete information asked for was not supplied to her by the Public Information Officer and the information provided was not certified by the P.I.O.

The First Appellate Authority disposed off the appeal by an order dated 14.08.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 13.10.2006 indicating that information asked for has not been made available to her.

Decision

Shri B.D. Hulwan, Education Officer, Smt. S.N.Sawant, Superintendent, in Education Office, Z.P. are present. Appellant is present.

Detailed discussion has been done. Despite the decisions of Public Information Officer, and First Appellate Authority full information has not been given. Information about now Smt Gandhi Vruida was appointed to the post of Supervisor need to given copies of all records in this respect can be given to the appellant.

After giving the above information a hearing may given by First Appellate Authority to the Appellant to give any balance information of the original application.

First Appellate Authority should submit a compliance report within 30 days.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 5th May 2008

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 97 /01

Shri Vilas Vishnu Kurle, Appellant
At & Post Kurlwadi,
Taluka Vengurla,
Dist.Shindhadurg

V/s
Public Information Officer, Respondent
Superintendent (Establishment) ,
Panchayat Samittee,Vengurla
Dist. Shindhadurg.

The Appellate Authority
Desk Officer,
Panchayat Samittee Vengurla,
Dist. Shindhadurg.

Facts:

The appellant by an application dated 19/5/2006 asked information and documents regarding action taken on the letter sent to Block Development Officer by the Deputy Chief Executive Officer (Grampanchayat) dated 29.10.2005.

The Public Information Officer informed the appellant by letter dated 31.05.2006 that Sarpanch, Grampanchayat, Ubhadanda has been directed to supply the the information asked for.

The appellant thereafter filed the first appeal before the First Appellate Authority on 23.06.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 13.07.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 04.10.2006 indicating that information asked for has not been made available to him.

Decision

First Appellate Authority is present. Public Information Officer is present. Block Development Officer has not looked into this case. Block Development Officer should give a hearing to the Appellant and gat full information about the work of well from Member of Parliament's fund and then take further action under intimation to the appellant. Compliance report to be sent to me within 30 days.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 5rd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 99 /01

Shri Rajendra Dharmaji Chavan, Appellant
At & Post Deorukh, Ward No. 3,
Taluka Sangameshwar,
District:- Ratnagiri, 415 804.

V/s
Public Information Officer, Respondent
Block Development Officer, (Deorukh)
Panchayat Samiti Sangameshwar,
Taluka Sangameshwar.
District:- Ratnagiri, 415 804.

The Appellate Authority,
Block Development Officer,
Panchayat Samittee
Sangameshwar,
Taluka Sangameshwar.
Dist. Ratnagiri.

Facts:

The appellant by an application dated 12.06.2006 asked information and documents regarding repairs to road for the period from February, 1991 to September, 1991 by thye Panchayat Samiti along with the details of sanctions and paid muster.

The Public Information Officer by letter dated 10.07.2006 directed the appellant to deposit Rs.556/- and collect the information.

The appellant thereafter filed the first appeal before the First Appellate Authority on 11.08.2006 indicating that complete information asked for was not supplied to him within the timeframe by the Public Information Officer.

The First Appellate Authority disposed off the appeal by an order dated 18.09.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 3.11.2006 indicating that information asked for has not been made available to him.

Decision

Appellant is not present. Public Information Officer is present (Shri Nand Kumar Laxman Kadam).

The Appellant has not deposited the fee for copies of musters needed by him.

He is apparently not interested in getting information . There is no need therefore to interfere with the order of the First Appellate Authority.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 5th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 94 /01

Shri Lavli Anand Saxsena, Appellant
Room No.636,Baebee Chawl,
Hanuman Galli, Khutavali,
Ambarnath (West),
District:- Thane.

V/s

Public Information Officer, Respondent
Chief Officer,
Ambarnath, Municipal Council,
Ambarnath.

The Appellate Authority,
Deputy Commissioner(General Administration),
Divisional Commissioner Office,
Konkan Bhavan, Belapur, Navi Mumbai,

Facts:

The appellant by an application dated 18.09.2006 asked information and documents regarding brick kilns, stone quarrys and stone crushers within the jurisdiction of Ambarnath Municipal Council.

The Public Information Officer informed the appellant by letter dated 22.09.2006 that the information relates to the Revenue Department and should be collected from that Department.

The appellant thereafter filed the first appeal before the First Appellate Authority on 09.10.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 16.10.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 27.11.2006 indicating that complete information asked for has not been made available to him.

Decision

Chief Officer, Shri Vinod Dawle is present. The case is discussed in great detail.

The reply given by the Public Information Officer vide his letter of 16/10/06 that his office does not have information about brick kilns, Stone quarries and crushers in the Municipal area is not acceptable. Shri Vinod Dawle has assumed charge of Chief Officer since 24/9/2007 . He agrees to conduct a survey of such cases i.e. . Brick kilns, quarry's and stone crushers etc within 7 days, with details of permission and communicate the same to the Appellant his findings. Thereafter he should take appropriate action against those who do not have necessary permissions.

Compliance report to be submitted before 30 days the avoid penalty under the R.T.I. Act.

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 5th May, 2008.

(Navin Kumar)
State Information Commissioner
Konkan Region

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 101/02

Shri Suhas Krishna Gawand, Appellant
At Post Hashivre,
Taluka Alibag,
District:-Raigad

V/s

Public Information Officer, Respondent
Taluka Inspector of Land Records,
Taluka:- Alibag,
District:- Raigad.

The Appellate Authority,
Suprintendent, Land Records,
Taluka:- Alibag, District:- Raigad.

Facts:

The appellant by an application dated 25.10.2005 asked information on 8 points and documents regarding land records of land in Block No. 501 situated at Mouje Shreegaon.

The Public Information Officer supplied the information in November, 2005 to the appellant.

The appellant not satisfied with the reply, filed the first appeal before the First Appellate Authority on 26.09.2006 indicating that the complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 24.11.2005 directing the P.I.O. to supply the information asked for within 7 days.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 15.07.2006 indicating that complete information asked for has not been made available to him.

Decision

Appellant is present. First Appellate Authority and T.I.L.R. (Shri Ganesh Hari Palkar) are present. T.I.L.R. could not produce any proof of making the information available.

The case is remanded to Public Information Officer (T.I.L.R. Shri Palkar) Who should invite the appellant for a meeting and personally handover all the information free of cost and obtain a proper receipt. Compliance to be reported within 20 days to avoid penal action.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 6th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/43/01

Shri Suresh M. Yeole,
5/2001, Narmada Paradise,
Near Tunga Dispensary,
Meera Road (East),
District Thane-401 107.

.... Appellant

V/s

Public Information Officer,
Deputy Engineer,
Waer Supply Department,
Meera-Bhainder Municipal Corporation,
Chatrapati Shivaji Maharaj Marg,
Bhainder (East)- 401 101.

..... Respondent

The Appellate Authority,
Deputy Engineer,
Waer Supply Department,
Meera-Bhainder Municipal Corporation,
Chatrapati Shivaji Maharaj Marg,
Bhainder (East)- 401 101.

Facts:

The appellant by an application dated 5.07.2006 asked information regarding water connection given to Saraj Cinema Theatre at Survey No. 496 at Bhayander.

The Public Information Officer did not supply any information to the appellant .

The appellant therefore filed the first appeal before the First Appellate Authority on 20.08.2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order in the appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 26.10.2006 indicating that information asked for has not been made available to him.

Decision

First Appellate Authority and public Information Officer both were present in the hearing held on 30th April, 2006.

Appellant did not come for hearing but he has now sent a letter dated nil, saying that he has already received the information and it is satisfactory.

The appeal stands disposed.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 14th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 102/02

Shri Girish Manohar Mokashi, Appellant
“Gharkul”, Gopalnagar Road No.2,
Dombivli(East)-421 201. .

V/s

Public Information Officer, Respondent
Rashtriya Shikshan Sanstha,
Rana Pratap Bhavan,Pandit Dindayal Marg,
Vishnunagar, Dombivli (West)-421 202.

The Appellate Authority,
Chairman,
Rashtriya Shikshan Sanstha,
Rana Pratap Bhavan,Pandit Dindayal Marg,
Vishnunagar, Dombivli (West)-421 202.

Facts:

The appellant by an application dated 24.07.200 asked information and documents regarding Swami Vivekanand Vidyamandir- Primary section, an aided school run by the Rashtriya Shikshan Sanstha.

The Public Information Officer informed the appellant by letter dated 1.08.2006 that since the purpose for which the information is required has not been indicated in the application and the application is not in the prescribed format hence the information sought for cannot be supplied.

The appellant not satisfied with the reply, filed the first appeal before the First Appellate Authority on 11.08.2006 indicating that information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order on the first appeal, but supplied some information to the appellant by letter dated 31.08.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 18.11.2006 indicating that complete information asked for has not been made available to him.

Decision

Appellant Shri Girish Manohar Mokashi, First Appellate Authority Shri A.S. Khare and Public Information Officer Shri S.L. Kardekar are present.

Appellant says that he has received information on 11 out of 14 points (Points No.1,3 and 7 remaining). Both sides agree that the case should be remanded to the First Appellate Authority for giving inspection/hearing and decision for a reasoned order on 5th July 2008 at 11-00 A.M. and decide accordingly.

A compliance report be sent to me by 15th July 2008.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 18th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 103/02

Shri Shri R.R.Tripathi, Appellant
C/o 301, Vastu Building,
Tip-Top Plaza,Wagle Estate Road,
Thane(West)

V/s
Public Information Officer, Respondent
Superintendent,
State Excise Department,
State Excise Bhavan, 1st floor,
Mith Bunder Road, Chendni Koliwada,
Thane (East).

The Appellate Authority,
Collector, Thane.

Facts:

The appellant by an application dated 17.07.2006 asked information regarding Reshma Palace Bar and Restaurant and other Bar-Restaurants in Bhiwandi.

The Public Information Officer supplied the information by letter dated 17.08.2006 to the appellant.

The appellant not satisfied with the reply, filed the first appeal before the First Appellate Authority on 12.09.2006 indicating that the complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 10.11.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 18.11.2006 indicating that complete information asked for has not been made available to him.

Decision

Appellant is absent. Public Information Officer and First Appellate Authority have also not come. Deputy Superintendent Shri V.B.Thakur is present.

He has delivered a letter from Collector Thane withering he says that a copy of the letter giving building permission for the Reshma Bar has also been given to the appellant. Information from 1985 to 1995 with regard to license is not available in the office.

Since Appellant has not shown any interest now. I do not wish to interfere with the order of the First Appellate Authority at this stage.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 6th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 105/02

ShriRanganath Haribhau Tangdi, Appellant
At Khardi, Post:- Paye,
Taluka-Bhivandi,
District:-Thane.

V/s
Public Information Officer, Respondent
Superintendent,
State Excise Department,
State Excise Bhavan, 1st floor,
Mith Bunder Road, Chendni Koliwada,
Thane (East).

The Appellate Authority,
Collector,
District:- Thane.

Facts:

The appellant by an application dated 22.06.2006 asked information regarding action taken report on the application of Police Patil, Khardi dated 12.01.2005 and 5.08.2005.

The Public Information Officer supplied the information by letter dated 24.07.2006 to the appellant.

The appellant not satisfied with the reply, filed the first appeal before the First Appellate Authority on 23.08.2006 indicating that the complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 03.10.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 27.11.2006 indicating that complete information asked for has not been made available to him.

Decision

Appellant is absent. Deputy Superintendent, Shri V.B. Thakur is representing Public Information Officer and First Appellate Authority.

Shri Thakur has given me a letter from First Appellate Authority. All possible information has been given. Appellant's absence shows that he is no longer interested. I therefore do not wish to interfere with the decision of First Appellate Authority at this stage.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 6th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 106/02

Shri Manoj Vasudev Vaidya, Appellant
401/E wing, Shishanti Complex,
Opp. Ajay Raja Hall,
Kulgaon, Badlapur (West).

V/s

Public Information Officer, Respondent
Executive Engineer, MIDC,
Ambernath Civil Division,
Ambernath.

The Appellate Authority,
Suprintending Engineer, MIDC,
Dombivli (East).

Facts:

The appellant by an application dated 21.11.05 asked information regarding area covered by construction and date of construction completed by factories in Badlapur Industrial Area.

The Public Information Officer supplied the information to the appellant on 21.12.2005.

The appellant not satisfied with the reply, filed the first appeal before the First Appellate Authority indicating that the complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the appeal by an order dated 31.08.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 07.11.2006 indicating that complete information asked for has not been made available to him.

Decision

Public Information Officer , First Appellate Authority and Appellant are present.

Public Information Officer Shri R.S. Kshirsagar, Executive Engineer undertakes to complete a quick survey and information to Appellant, with approximate areas of unauthorized constructions, by 15th June 2008 .

Compliance report should reach me by 20th June 2008.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.

Date:- 6th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 107/02

Shri Anilkumar M. Choradia, Appellant
At Post Taluka:- Dahanu,
Main Road, Dahanu,
District:- Thane 401 601.

V/s

Public Information Officer, Respondent
Chief Officer,
Dahanu Municipal Council,
Dahanu.

The Appellate Authority,
Deputy Commissioner (General Administration),
Divisional Commissioner's Officer,
Konkan Bhavan, Belapur,
Navi Mumbai.

Facts:

The appellant by an application dated 25.10.2005 asked information from the Dahanu Municipal Council.

The Public Information Officer supplied the information on payment of Rs.95/- to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 19.08.2006 indicating that excess fee was charged to him while supplying the information.

The First Appellate Authority disposed off the first appeal by an order dated 18.09.2006

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 24.10.2006 indicating that excess fee be refunded to him and penalty be imposed on the P.I.O.

Decision

Appellant is present.

The representative of Public Information Officer, Shri R.D.Pandhare, Internal Auditor, has returned to Appellant Rs. 133/- in cash. Appellant is satisfied. This appeal stands disposed.

Konkan Bhavan,
Belapur, Navi Mumbai.

(Navin Kumar)
State Information Commissioner
Konkan Region

Date:- 6th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 108/02

Shri Narendra Vithal Shelar, Appellant
At Post:- Shirdhon,
Taluka-Panvel,
District:- Raigad.

V/s

Public Information Officer, Respondent
Headmaster,
Kolad High School, Kolad,
Zilla Parishad, Raigad.

The Appellate Authority,
Education Officer (Secondary),
Zilla Parishad, Raigad.

Facts:

The appellant by an application dated 31.07.2006 asked information regarding students, teachers and educational activities in Kolad High School..

The Public Information Officer supplied the information 26.08.2006 to the appellant.

The appellant not satisfied with the reply, filed the first appeal before the First Appellate Authority on 30.10.2006 indicating that the complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order in the appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 15.01.2007 indicating that complete information asked for has not been made available to him.

Decision

First Appellate Authority and Public Information Officer are present. They say that all possible information has been given. Appellant is absent. He may not be interested. I therefore do not wish to interfere in this case at this stage.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 6th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 109/02

Shri Sarode Champalal Janakiram, Appellant
Secretary,
Ekta Rahivasi Sangh,
Opp. Sonali Society,
Jondhalibag Road,
Charai, Thane 400 601.

V/s

Public Information Officer, Respondent
Executive Engineer,
Maharashtra State Electricity Distribution Co. Ltd,
Thane City Division,
Near Pass Port Office, Wagle Estate,
Thane (West).

The Appellate Authority,
Suprintending Engineer,
Maharashtra State Electricity Distribution Co. Ltd,
Thane City Division,
Near Pass Port Office, Wagle Estate,
Thane (West).

Facts:

The appellant by an application dated 31.07.2006 asked information regarding files and other documents in respect of unauthorized electric connection given to Smt. Sabirabi Bashir Khan for Golden Bakery.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 03.10.2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order in the appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 08.01.2007 indicating that complete information asked for has not been made available to him.

Decision

Appellant was given a hearing. Today i.e. on 27.05.2008 the matter has been discussed with Shri S.S.Rajput, Executive Engineer and First Appellate Authority

(FAA). The main grievance of the Appellant is that the sanctioned load for the electric connection for the Golden Bakery has been increased without taking no objection certificate from Ekta Rahivasi Sangh. The Bakery is doing bread production whereas the original permission from Municipal authorities was for sale only, causing disturbance and difficulties to the Residents.

It is seen that there has been no hearing given by the First Appellate Authority in this case, with the result that the appellant is not getting satisfaction with regard to information/rules of M.S.E.D. Co. Ltd. The First Appellate Authority is directed to give a decision in this case after giving a hearing to the appellant.

Compliance to be reported.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 27th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 110 /02

Shri Siraj Ismail Shaikh Appellant
Hassan Teli Building , 3rd Floor,
At and Post Takoli Mohalla, Kalwa,
Dist Thane 400 605.

V/s

Public Information Officer, Respondent
Assistantt.Commissioner of Police,
Kalwa Division, Thane City.
Police Head Quarter,
Opp. Court Naka, Thane.

The Appellate Authority,
Deputy Commissioner of Police,
Kalwa Division, Thane City.
Police Head Quarter ,
Opp. Court Naka, Thane.

Facts:

The appellant by an application dated 26.6.2006 asked for a copy of the application submitted by Salim Ahmed Bharmar to Deputy Commissioner of Police Zone-1, Thane.

The Public Information Officer informed the appellant by letter dated 1.08.2006 that the application has been submitted to the Court Of Hon. Judicial Magistrate in Case No.48/2006.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 23.8.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order in the first appeal.

The appellant has filed the present second appeal on 21.9.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to him.

Decision

Appellant is present. Public Information Officer (P.I.O.) is represented by Shri Ashok Vishnukant Thakur (Police Sub Inspector).

Appellant says that despite efforts he could not trace the copy of letter demanded by him from Court of Hon. Judicial Magistrate in case No.48/2006. Shri Thakur has consulted P.I.O. on phone and undertaken to give assistance of his staff in searching the document for the appellant. A compliace report be sent by P.I.O. in this regard.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 12th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 111 /02

Shri Siraj Ismail Shaikh Appellant
Hassan Teli Building , 3rd Floor,
At and Post Takoli Mohalla, Kalwa,
Dist Thane 400 605.

V/s
Public Information Officer, Respondent
Assistantt.Commissioner of Police,
Kalwa Division, Thane City.
Police Head Quarter,
Opp. Court Naka,
Thane.

The Appellate Authority,
Deputy Commissioner of Police,
Kalwa Division, Thane City.
Police Head Quarter ,
Opp. Court Naka, Thane.

Facts:

The appellant by an application dated 19.6.2006 asked information regarding action taken on the application dated 19.05.2006 regarding false cases.

The Public Information Officer supplied the information to the appellant by letter dated 07.07..2006.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 29.07.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order in the first appeal. The appellant has filed the present second appeal on 21.9.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to him.

Decision

Appellant is present. Public Information Officer is represented by Shri Thakur, P.S.I.

Appellant says that he has received the information and therefore this appeal may be closed. The appeal stands disposed.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 12th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 112/02

Shri Ramakant Ramchandra Patil
At & Post Tembhode,
Taluka Palghar, Dist. Thane.
V/s

Appellant

Public Information Officer,
Deputy Superintendent of Police
Police Head Quarters
Thane Rural .
Dist. Thane

... .. Respondent

The Appellate Authority,
Superintendent of Police
Thane Rural, District:- Thane .

Facts:

The appellant by an application dated 27/3/08 asked information regarding the case filed against the former Chief Officer, Palghar Municipal Council, Shri.Ramchandra Kamble.
The Public Information Officer supplied the information to the appellant by letter dated 24.04.2006.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 2.05.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the appeal by an order dated 5.7.2007

The appellant has filed the present second appeal on 13/9/2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to him.

Decision

Appellant is present. Public Information Officer has sent his representative Shri P.V.Mankar, Assistant Police Inspector. He says that chargesheet has been submitted to the Court of Judicial Magistrate, First Class, Palghar. Public Information Officer should now supply to the appellant a copy of the chargesheet, as communicated in his letter dated 24.04.06 to the appellant. A compliance report be sent.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 12th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 93 /01

Shri Ramesh Vijay Pandit, Appellant
At & Post Haalwal, Brahmanwadi.
Taluka Kankavli.
District:- Shindhadurg.

V/s

Public Information Officer, Respondent
Residential Naib Tahasildar,
Tahasil Office.Kankavali,
District:- Shindhadurg.

The Appellate Authority,
Tahasildar Kankavli
Taluka Kankavli,
District:- Shindhadurg.

Facts:

The appellant by an application dated 3/7/2006 asked information and documents regarding Ration Card of Smt. Ratnaprabha Shankar Pandit on the address at Halwal, even though she is residing at Kanakavli.

The Public Information Officer did not supply the information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 19.08.2006 indicating that information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed of the appeal by an order 15.09.2006 directing the P.I.O. to supply the information free of cost.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 02/11/2006 indicating that complete information asked for has not been made available to him.

Decision

Appellant is present. Public Information Officer is present.

The Ration Card, complained against, has been cancelled. This action should have been done much earlier, according to appellant. The District Supply Officer may look into this case and take appropriate action to ensure that similar delays do not occur in other cases. This appeal now stands disposed.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 12th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 113 /02

Shri Srinivas Shrikant Pande,
Swatik Park, B/7/106 ,Azad Nagar ,
Thane 400 607.

Appellant

V/s

Public Information Officer,
Education Officer,
Thane Municipal Corporation,
Education Department,
Pachpakhadi, Thane

... .. Respondent

The Appellate Authority,
Deputy Director of Education,
Jawhar Balbhavan , Charni Road ,
Mumbai -400 004.

Facts:

The appellant by an application dated 3-4-2006 asked information regarding appointment and details of “Shikshan Sevaks” in the year 2005-06.

The Public Information Officer did not supply any information to the appellant.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order in the first appeal.

The appellant has filed the present second appeal on 9.9.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to him.

Decision

Appellant is not present. Public Information Officer Shri C. L. Maindad, Education Officer. He undertakes to supply information to appellant. A compliance report should be submitted within 10 days.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 12th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 114 /02

Shrimati Mangala Srinivas Pande,
Swastik Park, B-7/106 Azad Nagar,
Thane 400 607.

..... Appellant

V/s

Public Information Officer,
Educational Officer,
Thane Municipal Corporation ,
Education Department,
Panchpakadi, Thane 400 601.

... .. Respondent

The Appellate Authority,
Deputy Director of Education Officer,
Jawhar Balbhavan , Charni Road ,
Mumbai -400 004.

Facts:

The appellant by an application dated 27/2/2006 asked information regarding action taken on the letter dated 2.12.05 and 4.11.05.

The Public Information Officer did not supply any information to the appellant.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 6.04.2006 indicating that complete information asked for was not supplied to her by the Public Information Officer.

The First Appellate Authority did not pass any order in the first the appeal.

The appellant has filed the present second appeal on 9.9.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to her.

Decision

Appellant's representative is present. Public Information Officer is present.

Appellant's original application is vague and it is not clear what is required. She should give precise questions to enable to Public Information Officer to give information.

The P.I.O. should then give a hearing and decide the case by giving maximum information.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 12th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 115 /02

Shri Rajan Bhivaji Ogalekar, Appellant
A/5, Dhanani Appartment,
Tembhode , Taluka Palghar,
Dist. Thane 401 4004

V/s

Public Information Officer, Respondent
Resident Naib Tahasildar,
Taluka Palghar Dist. Thane,

The Appellate Authority,
Tahasildar Palghar
Taluka Palghar, Dist. Thane.

Facts:

The appellant by an application dated 29.03.2006 asked information regarding license/sanction for business to “Hotel Chillar” since the Hotel in on the forest land.

The Public Information Officer supplied the information to the appellant by letter dated 27.08.2006.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 19.05.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the appeal by an order dated 19.06.2006.

The appellant has filed the present second appeal on 13.09.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to him.

Decision

Appellant is present. Treasury Awwal Karkoon, Shri P. B. Patil and Incharge Naib Tahasildar, Shri H. S. Thakur are present. Shri Thakur says that “Hotel Chillar” was not given a license and that it has been closed on 10.5.2008. P.I.O. should give copies of documents concerning the closure to Appellant.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 12th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 1916 /02

Shri Kulumal R. Ramchandani
104, Morandmal Appartment,
Bewas Chauk Ulhasnager,
Ulhasnager 421 201.

Appellant

V/s

Public Information Officer,
Estate Manager,
Ulhasnager Muncipal Corporation ,
Ulhasnager.

... .. Respondet

The Appellate Authority,
Additional Commissioner,
Ulhasnager Muncipal Corporation,
Ulhasnager.

Facts:

The appellant by an application dated 24.03.2006 asked information regarding appointment of Law Officer, market value of Indira Gandhi Vegetable Market situated at Section 23, Ulhasnagar. The Public Information Officer supplied the information to the appellant by letter dated 1.04.2006 and 18.04.2006.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 3.05.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the appeal by an order dated 26th May, 2006.

The appellant has filed the present second appeal on 16 .06.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to him.

Decision

Heard both sides on 12.5.2008.

The Public Information Officer Shri Khamitkar has given the information to the appellant vide his letter of 30.5.2008. Similarly the Public Information Officer and Head Clerk (G.A.D.) has submitted to this commission, the information asked by the appellant vide his letter dated 30.5.2008. He should provide this information to the appellant, if not already done so.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 19th June, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 116 /02

Smt. Vrundavati Tukaram Bhere, Appellant
At Ubhadanda, Varchemad,
Taluka-Post- Vengurla,
District- Sindhudurg- 516 516.

V/s

Public Information Officer, Respondent
Deputy Superintendent of Police,
Sindhudurnagari, Oras,
Taluka- Kudal,
District- Sindhudurg..

The Appellate Authority,
Suprintendent of Police
Sindhudurg Nagari, Oras,
Taluka- Kudal,
District- Sindhudurg.

Facts:

The appellant by an application dated 11th May, 2006 asked for information and documents pertaining to the action taken on her application dated 20th March, 2006 addressed to Superintendent of Police, Sindhudurg seeking police protection.

The Public Information Officer, Deputy Superintendent of Police (Head Quarters) Sindhunagari, Oras informed the appellant by letter dated 15th May, 2006 that the application of the appellant dated 11.05.2006 has been sent to Sub Divisional Police Officer, Sawantwadi Sub Division. Appellant should seek information from Sawantwadi Sub Division.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 26.05.2006 indicating that information asked for was not supplied to her by the Public Information Officer.

The First Appellate Authority upheld the order of the Public Information Officer and disposed off the first appeal by an order dated 9th June 2006.

Decision

Appellant's representative Smt. Chaya Tukaram Bhere is present. Public Information Officer (P.I.O.) deputed Shri S.L.Sawant, Police Sub Inspector, who was not knowing the details of information that is ready to be supplied.

The appellant has contended that when information was asked from the P.I.O. in the Superintendent of Police's office they should not have been asked to contact another P.I.O.

The Superintendent of Police has communicated vide his letter dated 9.5.2008 that information is available and communication thereof was sent to the appellant's residence on 2.06.2006 and 3.06.2006 but applicants were not available and one Miss Sandhya refused the letter saying that they would want information from Oras government official, only.

Appellant has given a submission at the time of hearing. A copy of this may be sent to Superintendent of Police, Sindhudurg for his comments to be sent to me within 15 days. Similarly a copy of S.P.'s letter of 9.05.2008 be sent to the appellants for their comments within 15 days. On receipt of comments from both sides date for next hearing will be fixed.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 13th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 116 /02

Smt. Vrundavati Tukaram Bhare, Appellant
At Ubhadanda, Varchemad,
Taluka-Post- Vengurla,
District- Sindhudurg- 516 516.

V/s Respondent
Public Information Officer,
Deputy Superintendent of Police,
Sindhudurnagari, Oras,
Taluka- Kudal,
District- Sindhudurg..

The Appellate Authority,
Suprintendent of Police
Sindhudurg Nagari, Oras,
Taluka- Kudal,
District- Sindhudurg.

Facts:

The appellant by an application dated 11th May, 2006 asked for information and documents pertaining to the action taken on her application dated 20th March, 2006 addressed to Superintendent of Police, Sindhudurg seeking police protection.

The Public Information Officer, Deputy Superintendent of Police (Head Quarters) Sindhunagari, Oras informed the appellant by letter dated 15th May, 2006 that the application of the appellant dated 11.05.2006 has been sent to Sub Divisional Police Officer, Sawantwadi Sub Division. Appellant should seek information from Sawantwadi Sub Division.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 26.05.2006 indicating that information asked for was not supplied to her by the Public Information Officer.

The First Appellate Authority upheld the order of the Public Information Officer and disposed off the first appeal by an order dated 9th June 2006.

Decision

Appellant's representative Smt. Chaya Tukaram Bhare is present. Public Information Officer (P.I.O.) deputed Shri S.L.Sawant, Police Sub Inspector, who was not knowing the details of information that is ready to be supplied.

The appellant has contended that when information was asked from the P.I.O. in the Superintendent of Police's office they should not have been asked to contact another P.I.O.

The Superintendent of Police has communicated vide his letter dated 9.5.2008 that information is available and communication thereof was sent to the appellant's residence on 2.06.2006 and 3.06.2006 but applicants were not available and one Miss Sandhya refused the letter saying that they would want information from Oras government official, only.

Appellant has given a submission at the time of hearing. A copy of this may be sent to Superintendent of Police, Sindhudurg for his comments to be sent to me within 15 days. Similarly a copy of S.P.'s letter of 9.05.2008 be sent to the appellants for their comments within 15 days. On receipt of comments from both sides date for next hearing will be fixed.

Sd/- xxx

(Navin Kumar)

State Information Commissioner

Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 13th May, 2008.

Interim Decision

Pursuant to the above decision comments from both sides have been received and attached.

It is seen that the First Appellate Authority has not yet given a hearing to the Appellant, on receipt of the first appeal under Section 19(1) of Right to Information Act. Government has issued orders on 7/11/2006 that hearing is necessary to complete the proceedings before the First Appellate Authority which are quasi judicial in nature (Copy attached).

From the perusal of papers it appears that when some information was attempted to be delivered at the residence of the appellant, her daughter refused to accept the same. The appellant has not denied this.

Before the next hearing is fixed before me, it would be much better if issue of information is resolved at the level of First Appellate Authority.

For this purpose, I remand this case to the First Appellate Authority for giving a hearing to the appellant with a view to assess and ensure that all the information demanded by the appellant and due under the Right To Information Act is actually given to her. A reasoned decision by the First Appellate Authority should be recorded and issued within 45 days.

On the issuance of the decision referred to above, if considered necessary, a hearing will be kept before me.

(Navin Kumar)

State Information Commissioner

Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:-7th August, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 117 /02

Shri Shameem Ahemad Moh. Yasin Momin Appellant
House No.120, First Floor, Room No.12,
Kacheripada, Nagaonpada,
Bhivandi, District- Thane.

V/s

Public Information Officer, Respondent
Ward Officer, Ward No.1,
Bhivandi-Nijampur Municipal Corporation,
Kapaali, Near Old S.T.Stand,
Bhivandi, District- Thane- 421 302.

The Appellate Authority,
Deputy Commissioner (Head Quaters),
Bhivandi-Nijampur Municipal Corporation,
Kapaali, Near Old S.T.Stand,
Bhivandi, District- Thane- 421 302.

Facts:

The appellant by an application dated 8th March, 2006 asked for information regarding House No.1568, Nagaon-2 District Thane, Survey No.23, Hissa No.2, Plot No.14.

The Public Information Officer supplied the information to the appellant by letter dated 17.05.2006 and 1.06.2006 after the first appeal was filed with the first appellate authority.

The appellant filed the first appeal before the First Appellate Authority on 28.04.2006 indicating that information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 21.07.2006

The appellant has filed the present second appeal on 28.09.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to him.

Decision

Appellant is absent. Shri. P.B. Mahajan, Assistant Commissioner and Public Information Officer is present. The P.I.O. has given a letter from Appellant dated 12.5.2008 saying that he has received the required information and that he withdraws the appeal.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 13th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 118 /02

Shri Deepak P. Nirgude Appellant
Barrack No.1679/1,
Section No.25,
Behind Canara Bank,
Ulhasnagar- 421 004.

V/s
Public Information Officer, Respondent
Head Clerk, (General Administration),
Ulhasnagar Municipal Corporation,
Ulhasnagar-421 003.

The Appellate Authority,
Additional Commissioner,
Ulhasnagar Municipal Corporation,
Ulhasnagar- 421 003.

Facts:

The appellant by an application dated 02.02.2006 asked for information and documents relating to departmental inquiry of Shri B.Y.Kumavat, Clerk.
The Public Information Officer informed the appellant by letter dated 3.03.2006.
The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 03.04.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.
The First Appellate Authority disposed off the first appeal by an order dated 24.04.2006 directing the P.I.O. to supply the complete information free of cost.
The appellant has filed the present second appeal on 25.05.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that penalty be imposed on the P.I.O. for delay in supplying the information.

Decision

Appellant is present. He is satisfied about getting the information but he wishes the imposition of some penalty on the then Public Information Officer Shri Tukaram Tardalkar, Head Clerk as he sent written reply on 4.03.2006, gave inspection and information 17.04.2006 against the original date of application being 02.02.2006.

A show cause notice for penalty should be issued.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 13th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 119 /02

Smt. Aruna Mangalkumar Shah Appellant
7, Ramwadi, Bail Bazar,
Opposite Red Rose Hotel,
Kalyan (West), District- Thane.

V/s

Public Information Officer, Respondent
Police Inspector,
Mahatma Phule Police Station,
Kalyan (West), District- Thane..

The Appellate Authority,
Deputy Commissioner of Police (Zone- 3),
Kalyan (West), District- Thane.

Facts:

The appellant by an application dated 21.08.2006 asked for information regarding action taken on complaint dated 19.06.2006 to Deputy Commissioner of Police, Zone – 3, Kalyan (West) pertaining to documents in respect of investigations in FIR No.I/530/04.

The Public Information Officer did not supply any information to the appellant.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 22.09.2006.

The appellant has filed the present second appeal on 5.10.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to him.

Decision

Appellant is absent. From the decision of the First Appellate Authority, it appears that all relevant information has been given, there does not appear to be any necessity to interfere with the decision at the First Appellate level.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 13th May, 2008.

**BEFORE THE STATE INFORMATION COMMISSION MAHARASHTRA –
KONKAN REGION**

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

Appeal No.2008/ 120 /02

Shri Dilip Mukund Patil Appellant

VasaiBhandari Ali, Koliwada Road,

Taluka & Post- Vasai,

District- Thane- 401 201.

V/s

Public Information Officer, Respondent

Under Secretary to Government,

Industries, Energy and Labour Department,

Mantralaya, Mumbai- 400 032.

The Appellate Authority,

Joint Secretary to Government,

Industries, Energy and Labour Department,

Mantralaya, Mumbai- 400 032.

Facts:

The appellant by an application dated 4.10.2005 and 3.04.2006 asked information regarding Labour Commissioner's office pertaining to transfer, promotions, procedures followed for departmental enquiry etc in respect of post in "A" and "B" category.

The Public Information Officer by letter dated 11.10.2006 informed the appellant that information asked for cannot be given.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 24.10.2005 indicating that information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority dismissed the first appeal by an order dated 13.09.2006.

The appellant has filed the present second appeal on 22.09.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to him.

Decision

Appellant is present. Public Information Officer Shri Arvind Jhanjhane, Under Secretary and First Appellate Authority Shri C.R.Gosavi, Deputy Secretary, (Labor Department) are present.

The appellant wishes to know the information about a Department Enquiry, which is still not completed, about an officer. In this case the section 8 (e), 8 (J) and 11 of the R.T.I. Act 2005 would be attracted in varying degrees and therefore information can not be supplied. I therefore do not wish to interfere with the decision of the First Appellate Authority.

This appeal stands disposed.

(Navin Kumar)

State Information Commissioner

Konkan Region

Konkan Bhavan,

Belapur, Navi Mumbai.

Date:- 15th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 2040 /02

Shri Shivkumar Singh Appellant
Satya Shivayan, Near Gurukul School,
Javasai, Ambernath (West) 421 502.

V/s

Public Information Officer, Respondent
Education Department (Primary),
Zilla Parishad Thane,
District- Thane

The Appellate Authority,
Education Officer (Primary),
Education Department,
Zilla Parishad Thane,
District- Thane.

Facts:

The appellant by an application dated 29.03.2006 asked information regarding action taken on the letter dated 19.02.2006 from the Deputy Director of Education.

The Public Information Officer did not supply any information.

The appellant thereafter filed the first appeal before the First Appellate Authority on 21.04.2006 indicating that information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first the appeal by an order dated 10.03.2008.

The appellant has filed the present second appeal on 03.08.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that information asked for has not been made available to him.

Decision

Appellant is present. First Appellate Authority Deputy Education Officer (Shri R.S.Naikwadi) and Public Information Officer. Office Superintendent, Education Department (Smt. S.C.Kadam) are present.

All possible information has been given. I do not wish to interfere with decision of the First Appellate Authority.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 15th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/35/01

Shri N.Y. Waghchaure,
At Post Vikramgad,
Taluka- Vikramgad, Dist.Thane.

.... Appellant

V/s

Public Information Officer,
Vikramgad High School of
Chatrapati Shikshan Mandal, Kalyan.
At Vikramgad, Dist. Thane

..... Respondent

The Appellate Authority,
Headmaster,
Vikramgad High School of
Chatrapati Shikshan Mandal, Kalyan.
At Vikramgad, Dist. Thane.

Facts:

The appellant by an application dated 16.05.2006 asked information regarding certified copies of educational documents.

The Public Information Officer supplied the information to the appellant by letter dated 29.05.2006.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 14.06.2006 indicating that the fees charged by the P.I.O. are unreasonable.

The First Appellate Authority did not pass any order in the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 21.09.2006 indicating that complete information asked for has not been made available to him and fees charged for supplying the information is unreasonable and it should be refunded.

Decision

Appellant is present. The Appellate Authority is present.

Appellant says that he has received back the excess fee charged and that now this appeal can be closed

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 15th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 122 /02

Smt. Abeda Noor Shaikh, Appellant
Fatima Manzil, 4th Floor,
Rambag Lane No.0,
Post- Kalyan (West),
District- Thane.
V/s

Public Information Officer, Respondent
Deputy Director,
District Land Records (Konkan Region),
D.D.Building, 1st Floor,
Old Customs House,
Fort, Mumbai- 400 23.

The Appellate Authority,
Deputy Director,
District Land Records (Konkan Region),
D.D.Building, 1st Floor,
Old Octrai House,
Fort, Mumbai- 400 23.

Facts:

The appellant by an application dated 27.06.06 asked information regarding appointment of mentally retarded persons on their assistant in direct recruitment.

The Public Information Officer gave a reply by letter dated 5.08.2006. The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 28.08.2006 indicating that complete information asked for was not supplied to her by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by order dated 21.09.06.

The appellant has filed the present second appeal on 06.10.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to her. .

Decision

Appellant is absent. Public Information Officer and First Appellate Authority are present.

I have gone through papers. Appropriate reports have been given. I do not wish to interfere with decision of First Appellate Authority.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 15th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 123 /02

Shri Shivanand Gurusiddha Pujari, Appellant
Atmaram Nagar, Near Bhanushali
Nagar, Chawl No.14, Room No.3,
Vitthalwadi (East), Thane- 421 306.

V/s

Public Information Officer, Respondent
Employment and Self Employment Department,
Maharashtra State, 3rd Floor(Anex),
Konkan Bhavan, C.B.D.Belapur,
Navi Mumbai- 400 614.

The Appellate Authority,
Employment and Self Employment Department,
Maharashtra State, 3rd Floor(Anex),
Konkan Bhavan, C.B.D.Belapur,
Navi Mumbai- 400 614.

Facts:

The appellant by an application dated 13.06.06 asked information regarding complete authentic information/records/documents as per law/orders/rules of government pertaining to post reserved for handicaps.

The Public Information Officer replied to the appellant that the information is not compiled by the Directorate by letter dated 27.07.06.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 11.08.2006 indicating that information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the appeal by an order dated 11.09.2006.

The appellant has filed the present second appeal on 20.10.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to him.

Decision

Appellant is present. Public Information Officer is present. The appellant has asked vast information, covering Central Government, State Government, Semi Government Departments, Autonomous bodies, which are not compiled by the Directorate of Employment and Self Employment.

The First Appellate Authority should ascertain from Government as to which Public Authority is dealing with the subject and transfer the papers of this case to that authority under intimation to the appellate.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 15th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 124 /02

Shri Baban Namdeo Gharat , Appellant
At- Papadichapada,
Post- Taloje Panchnand,
Taluka- Panvel, District- Raigad..
V/s

Public Information Officer, Respondent
Superintendent Engineer(Kharghar),
CIDCO Divisional Office,
Sector- 4, Kharghar,
Navi Mumbai- 410 210.

The Appellate Authority,
Chief Engineer(CIDCO),
CIDCO Limited,
CIDCO Bhavan, 3rd Floor,
C.B.D.Belapur, Navi Mumbai- 400 614.

Facts:

The appellant by an application dated 19.06.2006 asked information regarding mining operations in the Kharghar area including Ranjanpada and Peth in Sector 27 and 28. .

The Public Information Officer gave the information to the appellant by letter dated 6.07.2006.

The appellant not satisfied with the reply of P.I.O. filed the first appeal before the First Appellate Authority on 10.08.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 19.09.2006.

The appellant has filed the present second appeal on 20.10.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to him. .

Decision

Appellant is present. Public Information Officer and Appellate Authority are present.

Whatever information could have been given has actually been given. I do not therefore wish to interfere with the decision of the First Appellate Authority.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 15th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 1901 /02

Shri Jayant P. Kuvakadan Appellant
Gangarampada, Post- Vadape,
Taluka- Bhivandi, District- Thane.

V/s

Public Information Officer, Respondent
Tahasildar Office , Bhivandi,
Taluka- Bhivandi, District- Thane.

The Appellate Authority,
Resident Naib Tahasildar,
Tahasildar Office of Bhivandi,
Taluka- Bhivandi, District- Thane.

Facts:

The appellant by an application dated 27.01.2006 asked information regarding non agricultural permission along with approved layout plans in respect of lands at survey no. 119/1,119/2 at Bhivandi, District:- Thane.

The Public Information Officer did not supply any information.

The appellant thereafter filed the first appeal before the First Appellate Authority on 24.03.06 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order in the first the appeal.

The appellant has filed the present second appeal on 14.06.2006 under Section 19(3) of the R.T.I. Act 2005 indicating that complete information asked for has not been made available to him .

Decision

Tahasildar Ms. Rupali Bhalke and First Appellate Authority, Resident Naib Tahsildar Shri Koli and Public Information Officer Shri Bhoir are present. Appellant is present.

This appeal is remanded to the First Appellate Authority, who should give a hearing to the appellant and reasoned decision with a view to give maximum information to the appellant.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 26th , 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 125 / 02

Shri Bhasker Mangal Gadge,
At- Malipada, Taluka- Murbad,
District- Thane- 421 401.

.... Appellant

V/s

Public Information Officer
Sub Divisional Suprintendent of Police,
Murbad Division,
Murbad (Thane Rural),
District- Thane.

..... Respondent

The Appellate Authority,
Suprintendent of Police,
Thane Rural, Thane.

Facts:

The appellant had applied to the Public Information Officer on 29.06.2006 for information and documents pertaining police security given on 30.12.2004 for shifting the Government Boys Hostel

The Public Information Officer by letter dated 17.07.2006 supplied the information to the appellant.

The appellant not satisfied with the P.I.O.'s reply filed the first appeal before the first appellate authority on 19.07.2006.

The first appellate authority disposed off the first appeal by an order dated 2.09.2006.

The contention of the applicant is that he has not received the correct information asked for. Hence this second appeal has been filed on 06.10.2006 with a request to direct the P.I.O. to supply the correct information.

DECISION

Appellant is present. From a perusal of the decision of the First Appellate Authority (FAA) and the case papers it appears that whatever information can be given has been given. I do not wish to interfere with the decision of the FAA .

The appeal stands disposed.

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 17th May, 2008

(Navin Kumar)
State Information Commissioner
Konkan Region

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 128 / 02

Shri Navneet Govind Mahadik
2/7, Shri Navjeevan CHS,
Kopri, Thane (East)- 400 603.

.... Appellant

V/s

Public Information Officer
Deputy Engineer,
Zilla Parishad,
Works Sub Division, Dapoli,
District- Ratnagiri.

..... Respondent

The Appellate Authority,
Deputy Divisional Engineer,
Zilla Parishad,
Works Sub Division, Dapoli,
District- Ratnagiri.

Facts:

The appellant had applied to the Public Information Officer on 29.04.2006 for information regarding substandard construction of Zilla Parishad School at Matwan.

The Public Information Officer by letter dated 28.07.2006 supplied the information to the appellant.

The appellant not satisfied with the P.I.O.'s reply filed the first appeal before the appellate authority on 19th August, 2006.

The first appellate authority disposed off the first appeal by an order dated 20.09.2006.

The contention of the applicant is that he has not received the information asked for. Hence this second appeal has been filed on 10.11.2006 with a request to direct the P.I.O. to supply the correct information.

DECISION

Appellant is present. Public Information Officer Shri S. V. Nashikkar, Deputy Engineer, Zilla Parishad is present.

What ever information can be given has been given. I do not wish to interfere with the decision of the First Appellate Authority.

This appeal stands disposed.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 17th May, 2008

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Complaint under Section 18 of RTI Act 2005.
Complaint No.2008/ 1 / 02

Dr. Pradip B. Pawar
A-102, Pavandeep Apartment,
Kamalnagar, Shahapur,
District- Thane-421 601.

.... Appellant / Complainant

V/s
Public Information Officer
Assistant Engineer,
Maharashtra Electricity Distribution
Company Limited, Shahapur,
District- Thane-421 601.

..... Respondent

Facts:

The Complainant had applied to the Public Information Officer on 21.11.06 information to the Assistant Engineer, Maharashtra State Electricity Distribution Company Ltd. Since the Complainant did not receive any response from the Public Information Officer, he filed an appeal to the Executive Engineer of the Company on 08.01.2007. However, the appellate authority did not give any hearing to the Complainant. The Appellant therefore filed a complaint to the Hon'ble Governor of Maharashtra on 15.03.2007.

DECISION

Complainant is present. First Appellate Authority Shri H. K. Randive, Executive Engineer and Public Information Officer Shri M.D. Maliguddi, Assistant Engineer is present.

At First Appellate Authority level, no hearing and reasoned decision seems to have been given as the Complainant says that he never received any notice for that.

This case is remanded to the First Appellate Authority for giving a hearing to the Complainant on 5th September, 2008. He should decide the case with a view to give any balance information. He should go in to the question of delay and give his proposal for imposing penalty. A compliance report should be submitted.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 17th May, 2008

**BEFORE THE STATE INFORMATION COMMISSION MAHARASHTRA –
KONKAN REGION**

**Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 129 / 02**

Shri Sunil Madhukar Vaidya Appellant

8-11, Saraswati Bhuvan,
Dhangar Aali, At-Post-Taluka- Roha,
District- Raigad.

V/s

Public Information Officer Respondent

Tahasil Office Roha.
District- Raigad.

The Appellate Authority,
Nayab Tahasildar, Tahasil Office Roha,
District- Raigad.

Facts:

The appellant had applied to the Public Information Officer on 7.10.2006 for information regarding unauthorized non agricultural use of land at Survey No.68/05 in the Roha Municipal Council area.

The Public Information Officer by letter dated 06/11/2006 supplied the information.

The appellant not satisfied with the P.I.O.'s reply filed the first appeal before the appellate authority on 11.10.2006.

The first appellate authority disposed off the first appeal by an order dated 7/12/2006.

The contention of the applicant is that he has not received the correct information asked for. Hence this second appeal has been filed on 19.01.2007 with a request to direct the P.I.O. to supply correct information.

DECISION

Appellant is present. Public Information Officer (P.I.O.) Shri D.S.Salvi, Avval Karkun in Tahsil Office, Roha is also present.

Appellant says that P.I.O. had given some wrong information, which was corrected at First Appeal level. With regard to delay and supply of wrong information the P.I.O. has given an explanatory note, a copy of which is given to the appellant. The appellant may give his comments on the same and forward to me. Thereafter I will consider the issue of imposing penalty.

As far as the supply of information is concerned this appeal is concluded.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 17th May, 2008

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 132 / 02

Shri Gangadhar Yadav
Room No.2, Soap Vila,
Plot No.6, Opposite
Bank Of Maharashtra,Khadakpada,
Kalyan (West),District- Thane.

.... Appellant

V/s

Public Information Officer
Government Labour Officer,
Kalyan, District- Thane.

..... Respondent

The Appellate Authority,
Assistant Labour Commissioner,
Kalyan-Dombivli Municipal Corporation,
Kalyan, District- Thane.

Facts:

The appellant had applied to the Public Information Officer on 10.08.2006 for information regarding the implementation of various labour laws viz Shops and Establishment Act, Bonus Act etc.regarding “Pandit Sweets” Opp. Kalyan Station .

The Public Information Officer by letter dated 25.08.2006 supplied the information to the appellant.

The appellant not satisfied with the P.I.O.’s reply filed the first appeal before the appellate authority on 30.08.2006.

The contention of the applicant is that he has not received the complete and correct information asked for. Hence this second appeal has been filed on 11.12.2006 with a request to direct the P.I.O. to supply information.

DECISION

Appellant himself is absent but his representative Shri Shah is present.

Public Information Officer Shri Bhoi and First Appellate Authority Shri. D.B.Pawar, Assistant Labour Commissioner is present.

The information is ought about a shop. The Public Information Officer’s organization is not expected to know the internal details of its day to day functioning. From the perusal of the decision of the First Appellate Authority, it appears that what ever information his organization is having has been supplied.

I therefore do not wish to interfere with the order of First Appellate Authority. This appeal accordingly stands disposed.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 17th May, 2008

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 133 / 02

Shri Bhau Somnath Parve Appellant

Ranjanpada Gaon,
Post- Kharghar, Taluka- Panvel,
District- Raigad.

V/s

Public Information Officer Respondent
CIDCO Bhavan (Land Department),
C.B.D.Belapur, Navi Mumbai.

The Appellate Authority,
CIDCO Bhavan (Land Department),
C.B.D.Belapur, Navi Mumbai.

Facts:

The appellant had applied to the Public Information Officer on 13.09.2006 seeking information regarding the rules and procedure pertaining transfer of plots under 12.5% Gaothan Scheme.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the appellate authority on 6.11.2006.

The first appellate authority did not pass any order in the first appeal.

The contention of the applicant is that he has not received the information asked for. Hence this second appeal has been filed on 18.12.2006 with a request to direct the P.I.O. to supply information.

DECISION

Appellant is absent.

Public Information Officer Shri Sanjaya Bhagwat, Chief Lands and Survey Officer is present. He is unable to say whether he has given information to the appellant or not. He should send the information to the appellant by registered post, directly,urgently.

The P.I.O. Shri Bhagwat should also explain why so much delay has taken place and show cause why penalty should not be imposed under the Right to Information Act.

The reply should be sent within 10 days.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 17th May, 2008

BFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 134 /02

Shri Pradeep Dagadu Marchande, Appellant
At Post-Taluka Mandangad,
District Ratnagiri.
V/s

Public Information Officer, Respondent
Rural Development Officer,
Grampanchayat Office, Savri,
Taluka Mandangad, Dist:- Ratnagiri

The Appellate Authority,
Extension Officer,
Panchayat Samiti,
Taluka Mandangad, Dist:- Ratnagiri.

Facts:

The appellant by an application dated 14.02.2006 asked information on Garkul Scheme.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 27.03.2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 26.09.2006 indicating that incomplete and incorrect information has been made available to him after 11 days delay.

Decision

Appellant is present. Public Information Officer (Shri Prakash Sitaram Ingale) Village Development Officer and First Appellate Authority Shri V.S.Salvi are present.

Appellant says that information has been supplied late by 8 days and the information is incomplete in that some copies are not given and some copies are not certified. The then P.I.O. Shri Kashiram Dayaram Pawar, should show cause within 15 days why penalty should not be imposed on him for delay.

The present P.I.O. should now supply the unsupplied information duly attested to the appellant within 15 days if necessary after giving a hearing to the appellant.

A copy of this order should be sent to former P.I.O. Shri K.D.Pawar. Compliance report should be sent.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 21st May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 135/02

Shri Pradeep Dagadu Marchande, Appellant
At Post-Taluka Mandangad,
District Ratnagiri.
V/s
Public Information Officer, Respondent
Gramsevak, At Tide, Taleghar,
Taluka Mandangad, District Ratnagiri.

The Appellate Authority,
Extension Officer, Taluka Mandangad,
District Ratnagiri.

Facts:

The appellant by an application dated 17.02.2006 asked information on schemes implemented during the tenure of Rural Development Officer, Shri K.D.Pawar.

The Public Information Officer informed the appellant by letter dated nil that the information was ready and can be collected on payment of Rs. 550/- on 17.03.2006.

The appellant not satisfied with the reply, filed the first appeal before the First Appellate Authority on 1.04.2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 26.09.2006 indicating that information asked for has not been made available to him.

Decision

Appellant is present. Public Information Officer (Shri Ashok Narayan Funde) Gramsevak and First Appellate Authority Shri V.S.Salvi, Extension Officer (V.P.) are present.

Appellant says that there has been delay of 268 days. The then P.I.O. Shri Kashiram Dayaram Pawar, should show cause within 15 days why penalty should not be imposed on him for delay.

The present P.I.O. should now reexamine this case after giving a hearing to the appellant and if there is any information, which has not been supplied should be supplied within 15 days.

A copy of this order should be sent to former P.I.O. Shri K.D.Pawar. Compliance report should be sent.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 21st May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 136/02

Shri Rajesh Ramchandra Marchande, Appellant
At Post-Taluka Mandangad,
District Ratnagiri.

V/s
Public Information Officer, Respondent
Rural Development Officer,
Grampanchayat Office, Savri,
Taluka Mandangad, Dist:- Ratnagiri.

The Appellate Authority,
Extension Officer,
Panchayat Samiti,
Taluka Mandangad, Dist:- Ratnagiri.

Facts:

The appellant by an application dated 7.06.2006 asked report on information regarding action taken by Sarpach of Grampanchayat Mandangad in the year 2004 to 2006.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 7.07.2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 26.09.2006 indicating that information asked for has not been made available to him.

Decision

Appellant's representative is present. First Appellate Authority (FAA) Extension Officer (V.P.) Shri V.S.Salvi is present.

The appellant's representative says that no information has been given. I remand the case to the FAA who should give a hearing to the appellant with a view to give available information to the appellant. FAA should also examine how much delay has taken place in this case and make recommendation for penalty.

Compliance report should be submitted within a month.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 21st May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 142/02

Shri Baburao Mahadeo Kamble, Appellant
Chandrama Apartment Flat No.04,
Gayatrinagar, Kirti Police lane Katrap,
Badlapur (East), 421 503.
V/s

Public Information Officer, Respondent
Assistant Secretary,
M.S. Secondary and Higher Secondary
Education Board, Mumbai Divisional Board,
Vashi, Navi Mumbai- 400 703.

The Appellate Authority,
Divisional Secretary,
M.S. Secondary and Higher Secondary
Education Board, Mumbai Divisional Board,
Vashi, Navi Mumbai- 400 703.

Facts:

The appellant by an application dated 5.08.2006 asked for photocopy of Maths Paper March 2006 English Medium pertaining to Centre No. 1241, Seat No.EO68979 Sr. No. of Statement 004164.

The Public Information Officer by letter dated 14.08.2006 informed the appellant that answer paper being a confidential document cannot be supplied.

The appellant not satisfied with the reply, filed the first appeal before the First Appellate Authority on 21.09.2006 indicating that information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority disposed off the first appeal by an order dated 26.09.2006 dismissing the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 18.12.2006 indicating that complete information asked for has not been made available to him.

Decision

Appellant was provided the information that was given by M.S. Board of secondary and Higher Secondary Education to this Commission vide their letter of 26th May,2008. The Appellant was asked to furnish his comments and remain present today for giving his say. The Appellant has not given his say nor as he come for hearing, showing that he is not interested in any more information. This appeal thus concludes.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 26st June, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 143/02

Shri Gangadhar Yadav, Appellant
Room No.2, Sonap Villa,
Plot No.6, Opp. Bank Of Maharashtra,
Khadakpada, Kalyan (West)

V/s

Public Information Officer, Respondent
Govt. Labour Officer,
Office of the Assistant Labour Commissioner,
Sai Vihar, 2nd floor,
Shivaji Path, Kalyan.

The Appellate Authority,
Assistant Labour Commissioner,
Sai Vihar, 2nd floor,
Shivaji Path, Kalyan.

Facts:

The appellant by an application dated 10.08.2006 asked information on Shree Vashistha Developers, Ramwadi, Vallipeer Road, Bail Bazar, Kalyan.

The Public Information Officer supplied the information on 17.08.2006 to the appellant.

The appellant not satisfied with the reply, filed the first appeal before the First Appellate Authority indicating that the complete information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority disposed off the first appeal by an order dated 24.08.2006 as it was non maintainable.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 15.01.2007 indicating that complete information asked for has not been made available to him.

Decision

Appellant is absent. First Appellate Authority is present. I have gone through the records and it is seen that whatever information can be given, has been given. I do not wish to interfere with the decision of the First Appellate Authority.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 21st May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 144/02

Shri Shrikrishna Harischandra Tembulkar, Appellant
Katta Vairkar-Wadi,
Taluka-Malvan, Dist:- Sindhudurg.

V/s
Public Information Officer, Respondent
Taluka Inspector of Land Records,
Taluka-Malvan, Dist:- Sindhudurg.

The Appellate Authority,
Office of the Taluka Inspector of Land Records,
Taluka-Malvan, Dist:- Sindhudurg

Facts:

The appellant by an application dated 26.10.2006 asked information regarding documents pertaining to transfer of property as per the records in Revenue Department.

The Public Information Officer supplied the information to the appellant by letter dated 9.11.2006

The appellant thereafter filed the first appeal before the First Appellate Authority in November, 2006 indicating that the complete information asked for was not supplied to him by the Public Information Officer.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 15.01.2007 indicating that complete information has not been made available to him .

Decision

Appellant is represented by Advocate Milind Balkrishna Sukali. Public Information Officer (P.I.O.) Shri L. R. Pilankar, Taluka Inspector of Land Records(TILR), Malvan is present.

First Appellate Authority has given a decision on 18.10.2007 but the file of TILR does not show any proof of information having reached the appellant. The decision of First Appellate Authority is therefore set aside. P.I.O. has given some information to the appellant today. If the appellant feels that some information requested in his initial application has not been supplied/given he should write to P.I.O. within 10 days. Thereafter the P.I.O. should respond within next 10 days. A compliance report should be submitted.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 22nd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 145 /02

Shri Suresh Shrikrishna Malusthe, Appellant
At Post:- Pangri, Taluka:- Sangameshwar,
District:- Ratnagiri.

V/s

Public Information Officer, Respondent
District Mining Officer,
Office of the District Collector,
Ratnagiri.

The Appellate Authority,
Resident Deputy Collector,
Office of the District Collector,
Ratnagiri.

Facts:

The appellant by an application dated 07.04.2006 asked information regarding permission Granted for mining at Mouje Pangri, Manaskod, Aravali Taluka Sangameshwar, District Ratnagiri.

The Public Information Officer supplied the information to the appellant by letter dated 21.04.2006.

The appellant thereafter filed the first appeal before the First Appellate Authority on 23-05- 2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 27.06.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 16.01.2007 indicating that incomplete and incorrect information has not been made available to him.

Decision

Appellant is present. Public Information Officer, Shri V.B.Salve, District Mining Officer is present.

The Main Information which is still not given to the appellant is about the refund of license fee of Rs.5000/- as he has not been granted the license. The District Mining Officer should give this information in writing by Register Post A.D. within 10 days.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 22nd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 146/02

Shri Suresh Mahadeo Kurle, Appellant
V.S.Rathi Farm House,
At Varhati, Post-Tambdi,
Taluka-Roha, District-Raigad.

V/s
Public Information Officer, Respondent
Tahasil Office,
Taluka Roha, Dist:-Raigad.

The Appellate Authority,
Sub Divisional Officer,
Mangaon, Division;
Mangaon, Dist:-Raigad.

Facts:

The appellant by an application dated 19.09.2006 asked information regarding rehabilitation to persons affected in floods during the year 1989.

The Public Information Officer supplied the information to the appellant on 19.10.2006.

The appellant not satisfied with the reply filed the first appeal before the First Appellate Authority on 3-11- 2006 indicating that complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the appeal by a letter dated 8.11.2006 in the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 11.01.2007 indicating that an attempt is being made to hide the illegal actions of concerned persons.

Decision

Appellant is absent. Public Information Officer (P.I.O.) Shri D. S. Salvi, Avaal Karkun, Tahsil Office and Shri Muddevihalkar, Resident Naib Tahasildar is present.

A reading of the appeal indicates that the matter is more in the nature of a complaint. P.I.O. should enquire into the allegation and send a report within a month.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 22nd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 147 /02

Smt. Vasanti Shantaram Pimple,
At Post:- Kumbahvli,
Taluka-Palghar, District-Thane.

..... Appellant

V/s

Public Information Officer,
Additional Chitnis,
Thane, Headquarters -Javhar,
District Thane.

..... Respondent

The Appellate Authority,
Additional Resident Deputy Collector,
Thane, Headquarters -Javhar,
District Thane.

Facts:

The appellant by an application dated 4.09.2006 asked information regularization of encroachment on barren government lands.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 3-10- 2006 indicating that the information asked for was not supplied to her by the Public Information Officer.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 11.01.2007 indicating that information has not been made available to her.

Decision

Appellant is present. Public Information Officer (P.I.O.) Shri B. B. Dahifale, Additional Chitnis and First Appellate Authority (FAA) Shri P.M. Thorat, Additional Resident Deputy Collector are present.

It is a pity that despite clear orders of FAA no information is given so far. P.I.O. should explain why penalty should not be imposed on him. He should now collect information and give within one month to the appellant. A compliance report should be submitted within 45 days.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 22nd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 148/02

Shri Prakash Gopal Valavalkar, Appellant
At Post Madura, Digwadi,
Taluka-Sawantwadi, District-Sindhudurg.

V/s
Public Information Officer, Respondent
Gramsevak,
Grampanchayat Madura,
Taluka-Sawantwadi, District-Sindhudurg.

The Appellate Authority,
Section Officer,
Panchayat Samiti, Sawantwadi,
District- Sindhudurg.

Facts:

The appellant by an application dated 30.06.2006 asked information regarding minutes of the Grampanchayat Madura for the period from 7.02.2003 to 21.05.2005.

The Public Information Officer by a letter dated 21.07.2006 replied to the appellant that the application was ambiguous and cannot be replied to.

The appellant not satisfied with the reply filed the first appeal before the First Appellate Authority on 21-08- 2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 29.09.2008

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 15.01.2007 indicating that information has not been made available to him .

Decision

Appellant is absent. Gramsevak Smt. Shubhada Ramchandra Kothawale, the Public Information Officer is present.

I have seen the papers. There is no need to interfere with the decision of the First Appellate Authority.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 22nd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 151/02

Shri Suresh Ghevarchand Sharma, Appellant
Gardenview Building, B/103,
Viratnagar, Virar (West),
Taluka Vasai, Dist:- Thane-401303.

V/s
Public Information Officer, Respondent
District Education Officer (Primary),
Zilla Parishad, Thane.

The Appellate Authority,
Education Department,
Zilla Parishad, Thane

Facts:

The appellant by an application asked information about D.Ed. payscale.

The Public Information Officer replied to the appellant by letter dated 7.09.2006.

The appellant thereafter filed the first appeal before the First Appellate Authority on 3- 10 - 2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order in the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 15.01.2007 indicating that incomplete and incorrect information has not been made available to him..

Decision

Appellant is present. The Appellate Authority or the Public Information Officer are not present, but they are represented by Shri A.S.Dahiphale, Superintendent.

It is not clear why the First Appellate Authority has not decided this case. The case is therefore remanded to the First Appellate Authority for a hearing and decision in this case.

A compliance report should be sent within a month.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 22nd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 152 /02

Shri Sadashiv Kanha Meher, Appellant
Mahim(Sagarwadi),Post Kelva Mahim,
Taluka Palghar, Dist:-Thane-401 402.

V/s
Public Information Officer, Respondent
Treasury Awaal Karkun,
Tahasil Office, Palghar,
Palghar, Dist:-Thane.

The Appellate Authority,
Resident Naib Tahasildar,
Tahasil Office, Palghar,
Palghar, Dist:-Thane.

Facts:

The appellant by an application dated 24.07.2006 asked for detailed information of agricultural lands held by the applicant.

The Public Information Officer replied to the appellant by letter dated 9.08.2006.

The appellant thereafter filed the first appeal before the First Appellate Authority on 18- 08 - 2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by an order dated 18.09.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 14.12.2006 indicating that incomplete information has not been made available to him .

Decision

Appellant is absent. First Appellate Authority Shri H.S.Thakur is present.

I have gone through the decision of the First Appellate Authority which is a reasoned decision and the information sought by the appellant has been given. I do not wish to interfere with the order of the First Appellate Authority.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 22nd May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 154 /02

Shri Vasant Narayan Mehendale, Appellant
At- Vanand, Taluka-Post- Dapoli,
District- Ratnagiri-415 712.

V/s

Public Information Officer, Respondent
Awaal Karkun, Tahasildar Office,Dapoli,
Taluka- Dapoli, District- Ratnagiri.

The Appellate Authority,
Resident Naib Tahasildar, Taluka- Dapoli,
District- Ratnagiri.

Facts:

The appellant by an application dated 31.08.2006 asked for information regarding whether any appeal has been filed in the office of the Collector, Ratnagiri on the orders issued by Tahasildar's Court at Dapoli dated 19.04.2005.

The Public Information Officer supplied the information to the appellant by letter dated 30.09.2006.

The appellant not satisfied with the reply filed the first appeal before the First Appellate Authority on 10.10.2006 indicating that the complete information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order in the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 20.01.2007 indicating that complete information has not been made available to him .

Decision

Appellant is present. Public Information Officer (P.I.O.) Shri M. A. Desai Awaal Karkun and the then First Appellate Authority (F.A.A.) Shri C.S.Palkar, Resident Naib Tahasildar are present.

The bulk of the information asked for has been provided. It is however, observed that the work of recovery of Rs. 18000/- as per Tahasildar's order is still not done and reflects badly on the efficiency of the Tahasildars's office. The P.I.O. should have given the information about any appeal filed against his order, but that was not done. He should be careful in future for doing such things himself and keeping the appellant informed. I would also observe that the F.A.A. has very much delayed his decision. This should be avoided in future.

The appeal stands disposed.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 26th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 155 /02

Shri Mohan Prabhakar Amre Appellant
9/10, Trimurti Apartment,
Dada Patil Marg, Naupada,
Thane (West)

V/s

Public Information Officer, Respondent
Assistant Commissioner of Police,
Thane Region, Thane.

The Appellate Authority,
Assistant Commissioner of Police,
Thane Region, above Perfect Training
School, Talavpali, Thane.

Facts:

The appellant by an application dated 30.09.2006 asked for information on action taken and documents relating to the appellants letter dated 31.08.2006.

The Public Information Officer supplied the information to the appellant by letter dated 27.10.2006

The appellant thereafter filed the first appeal before the First Appellate Authority on 16.11.2006 indicating that the complete information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority disposed off the first appeal by a letter dated 26.12.06 2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 18.01.2007 indicating that complete information has not been made available to him .

Decision

Appellant is present. Public Information Officer (P.I.O.), Assistant Commissioner, Shri R.S.Tadvi has not come but he has sent Shri K.M.Nagre, Assistant Police Inspector.

Appellant wishes to get a copy of the statement of Shri Nitin Kamat (dated 18.09.2006) and Shri M. K. Nigle (dated 3.09.2006). The First Appellate Authority has not given a hearing to the Appellant which is a lapse in this case.

Shri Nagre, informs that the investigation in this case is completed. I do not see any justification in denying the copies of the statements wanted by the appellant. These should be supplied to him by Registered Post AD or by personal Messenger. A compliance report may be sent.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 26th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 157 /02

Shri Bhau Somnath Songya Parve Appellant
Ranjanpada Village, Post- Kharghar,
Takuka- Panvel, District- Raigad.

V/s

Public Information Officer, Respondent
Assistant Commissioner of Police,
Head Quarters, Navi Mumbai.

The Appellate Authority,
Deputy Commissioner of Police,
Navi Mumbai, Sector-10,
C.B.D.Belapur, Navi Mumbai- 400 614.

Facts:

The appellant by an application dated 8.07.2006 asked for a certified copy of the statement taken on 1.07.2006.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 14.08.2006 indicating that the information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority disposed off the first appeal by an order dated 14.08.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 18.12.2006 indicating that information asked for has been denied to him .

Decision

Appellant is absent. Public Information Officer (P.I.O.), Shri Nandkumar Chougule, Assistant Commissioner of Police and First Appellate Authority, Shri N.D.Chavan, Deputy Commissioner of Police are present. The P.I.O. agrees to give the copy of the statement and the action taken report to the Appellant within two days.

A compliance report be sent to me by the P.I.O.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 26th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 158 /02

Shri Ramakant Ganapat Chavan, Appellant
Chavanwadi House No.236,
Rajapur. Taluka-Rajapur,
District- Ratnagiri.

V/s

Public Information Officer, Respondent
Chief Officer,
Rajapur Municipal Council,
Rajapur, District- Ratnagiri.

The Appellate Authority,
Deputy Commissioner, (General Administration),
Konkan Divisional Commissioner's Office,
Konkan Bhavan, Belapur, Navi Mumbai.

Facts:

The appellant by an application dated 15.09.2006 asked for information on repairs to House No.236 and permissions granted for repairs to other houses in the Municipal area.

The Public Information Officer by letter dated 13.10.2006 expressed inability to supply information as the description of information required was available.

The appellant thereafter filed the first appeal before the First Appellate Authority on 30.10.2006 indicating that the information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority disposed off the first appeal by an order dated 14.11.2006 directing the P.I.O. to supply the information free of cost The P.I.O. thereafter supplied the information on 23.11.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 11.12.2006 indicating that information has been supplied after the first appeal hence penalty be imposed on the concerned person.

Decision

Appellant is present. Public Information Officer is absent. He has sent his representative, Head Clerk, Shri Nandkumar Chavan.

Appellant has got the information but he wishes that some penalty should be imposed on Shri P.S.Patre the then Chief Officer. Shri Patre should show cause why penalty under Right to Information Act should not be imposed on him. A copy of this decision should be sent to Shri P.S.Patre.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 26th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 159 /02

Shri Shankar Dinkar Gadgil, Appellant
At-Nachne, House No.546,
Salvi Stop, Post- M.I.D.C.,
Ratnagiri- 415 639.
V/s

Public Information Officer, Respondent
Superintendent,
Village Panchayat Division,
Zilla Parishad Ratnagiri,
District- Ratnagiri.

The Appellate Authority,
Deputy Chief Executive Officer,
Village Panchayat,
Zilla Parishad Ratnagiri,
District- Ratnagiri.

Facts:

The appellant by an application dated 20.07.2006 asked for information regarding road works carried out Salvi Stop Phansalkarghar to Gadgilghar and Girkar Ghar in the year 1995-96.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 31.08.2006 indicating that the information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority disposed off the first appeal by an order dated 29.09.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 04.01.2007 indicating that complete information has not been made available to him .

Decision

Appellant is present. Public Information Officer Shri Namdeo Shankarrao Govindkar Superintendent, Grampanchayat is present.

The Appellant has asked information by about 25 questions. Some points relate to guidance/opinion. I have gone through the record. About 150 pages information has been given. Inspection has also been given.

I do not find any reason to interfere with the decision of the First Appellate Authority.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 26th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 160 /02

Smt. Pandharibai Ladoba Chaukekar, Appellant
At- Chauke, Taluka- Malvan,
Dstrict- Sindhudurg.

V/s

Public Information Officer, Respondent
Suprintendent,
Panchayat Samiti Malvan,
Taluka- Malvan, Dstrict- Sindhudurg.

The Appellate Authority,
Panchayat Samiti Malvan,
Taluka- Malvan, Dstrict- Sindhudurg.

Facts:

The appellat by an application dated 24.07.2006 asked for information on Talathi and Grampanchayat Office Buildings prior to the year 1980-81.

The Public Information Officer supplied the information and documents to the appellat by letter dated 21.08.2006

The appellat thereafter filed the first appeal before the First Appellate Authority on 24.09.2006 indicating that complete information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority disposed off the first appeal by an order dated 20th October, 2006.

The appellat has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 30.12.2006 indicating that complete information has not been made available to him.

Decision

Appellant is present. Public Information Officer Shri Ramakant Dhondu Attak, Superintendent, Panchayat Samiti, Malvan and First Appellate Authority (FAA) Shri Shriram B. Shirsat, Section Officer, Panchyat Samiti, Malvan are present.

Heard both sides and perused the record. Whatever information was available has been given. I do not wish to interfere with the decision of the First Appellate Authority.

The appeal stands disposed.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 26th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 161 /02

Shri D. R. Singh, Appellant
c/o Shrinivas Pande,
Avagheshwar Hindi / English School,
Near Sanket Vidyalaya, Ganeshnagar,
Manpada, Thane- 400 607.
V/s

Public Information Officer, Respondent
Education Officer,
Thane Municipal Corporation,
Thane- 400 604.

The Appellate Authority,
Deputy Director of Education,
Mumbai Division,
Jawahar Balbhavan, Charni Road,
Mumbai-4.

Facts:

The appellant by an application dated 5.06.2006 asked for certified copies of action taken report on Save Education Committee's letter dated 20.03.2006.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 7.07.2006 indicating that the information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority did not pass any order in the appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 4.01.2007 indicating that information has not been made available to him .

Decision

The Appellant has not been given a hearing in this case by the First Appellate Authority (FAA). The FAA should give a hearing in accordance with Government orders of 6.11.2007 issued by General Administration Department and decide the case.

Compliance to be sent within 40 days.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 26th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 163/02

Shri Ravi Pandurang Gaikwad, Appellant
C/o Shivaji Mane,
Shantaram Patil Nagar,
Mohane, Taluka-Kalyan,
District:-Thane - 421 101.

V/s

Public Information Officer, Respondent
Head Master,
Primary Ashram School (V.J.N.T),
Mohane, Taluka Kalyan,
District—Thane.

The Appellate Authority,
Secretary,
Primary Ashram School (V.J.N.T),
Mohane, Taluka Kalyan,
District—Thane.

Facts:

The appellant by an application dated 28.09.2006 asked for information and documents regarding correspondence with the Government seeking approval to the school.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 11.11.2006 indicating that the information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority did not pass any order in the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 27.12.2006 indicating that information has not been made available to him.

Decision

Appellant is present. Public Information Officer (P.I.O.) Shri J.K. Sangrampurkar for Madhyamic Ashramshala and P.I.O. Shri R.N.Shinde for Primary Ashramsala are present. Balance information consisting of about 60 pages has been given to appellant in my presence. The appeal stands disposed off as far as information is concerned. In case appellant feels that he would like to pursue the issue of penal action for delay in supply of information he should make a separate detailed application giving factual position about information supplied earlier and that supplied now.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 26th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 162 /02

Shri B.T.Gavai, Appellant
Gavai Chawl, Gandhinagar,
Pokhran Road No.2.Thane 400 601.

V/s

Assistant Public Information Officer, Respondent
Senior Inspector,
Vartak Nagar Police Station,
Thane City, Thane.

The Appellate Authority,
Police Commissioner's Office,
Thane City, Thane.

Facts:

The appellant by an application dated 26.05.2006 asked for information regarding the action on the appellant's letter dated 31.03.2006.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 14.08.2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order in the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 06.01.2007 indicating that information has not been made available to him .

Decision

Appellant is present.

Shri B.G.Bhosale, Senior Police Inspector, Vartaknagar Police Station, Thane City, says that a chargesheet has been submitted in the Court on the case informed by the appellant. He undertakes to supply the copy of "Half Sheet Copies" of the charge sheet on 27th May, 2008.

Compliance to be reported.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 26th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 85/01

Shri Bhaskar Mangal Gadge, Appellant
At Malipada, Taluka Murbad,
District:- Thane 421 401.

V/s

Public Information Officer, Respondent
Naib Tahasildar, Murbad,
District Thane 421 401.

The Appellate Authority,
Tahasildar, Murbad,
District Thane 421 401.

Facts:

The appellant by an application dated 03.07.2006 asked information and documents regarding copy of letter asking for Police protection copy of application submitted to Human Rights Commission and order of the Human Rights Commission on the application pertaining to Integrated Tribal development Project, Boys Hostel.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 3rd August, 2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order on the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 18.11.2006 indicating that information asked for has not been made available to him and to impose penalty for not providing the information.

Decision

Appellant is present. He has received the copy of a letter dated 30th December, 2004 from Project Officer for Integrated Tribal Development, Shahapur addressed to Tahasildar requesting Police bandobast . The Public Information Officer does not have any information on other points with his office.

This appeal therefore stands disposed.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 28th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 186 /02

Shri Ravindra Kamlakar Dange, Appellant
C-4/5, Sukumar Society,
DayaldasRoad, Vile-Parle (E.),
Mumbai- 400 057.

V/s

Public Information Officer, Respondent
Assistant Manager (Loan),
Ratnagiri Dist. Central Co-op.Bank Ltd.,
Sahakar Bhavan, Jawahar Path,
Ratnagiri-415 639.

The Appellate Authority,
Divisional Joint Registrar (Co-op.Societies),
Konkan Division, Konkan Bhavan,
Navi Mumbai-400614.

Facts:

The appellant by an application dated 30.10.2006 asked for information regarding Land Reference Number (Servey No., Hissa No. and Village, Taluka, District) which was in “possession” of Bhai Mayekar where he was financed loan by bank to start “Milk Dairy Project” and information on repayment of loan.

The Public Information Officer supplied the information to the appellant by letter dated nil.

The appellant thereafter filed the first appeal before the First Appellate Authority on 31.05.2007 indicating that the information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority disposed off the first appeal by an order dated 3.10.2007.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 1.11.2007 indicating that complete and correct information has not been made available to him.

Decision

Appellant is present. First Appellate Authority (FAA) Shri J.S.Panpatte is present.

First Appellate Authority has dealt with the matter in the first appeal and given a reasoned decision. From a perusal of the papers it appears that whatever information was in the possession of the Bank has been given.

I therefore do not wish to interfere with the decision of the FAA. The appeal stands disposed.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 29th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 187 /02

Shri Ravindra Kamlakar Dange, Appellant
C-4/5, Sukumar Society,
DayaldasRoad, Vile-Parle (E.),
Mumbai- 400 057.

V/s

Public Information Officer, Respondent
Superintendent (Primary),
Zilla Parishad Ratnagiri,
Dist- Ratnagiri.

The Appellate Authority,
Education Officer(Primary),
Zilla Parishad Ratnagiri,
Dist- Ratnagiri.

Facts:

The appellant by an application dated 23.3.2007 asked for information regarding details of lands donated by various donors for Zilla Parishad's "Trambakeshwar Vidyamandir."

The Public Information Officer supplied the information to the appellant by letter dated 18.5.2007.

The appellant thereafter filed the first appeal before the First Appellate Authority on 25.5.2007 indicating that the information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority did not pass any order in the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 28.8.2007 indicating that complete and correct information has not been made available to him.

Decision

Appellant is present. Public Information Officer is present. The First Appellate Authority (FAA) has summarily dismissed the first appeal of the appellant on 17.10.2007 without giving him a hearing. This has given a chance to the appellant to give his say. This case is remanded to the FAA for giving a hearing to the appellant with a view to provide him maximum possible information under the Right to Information Act.

Compliance report should be sent within 30 days.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 29th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 188 /02

Shri Ravindra Kamlakar Dange, Appellant
C-4/5, Sukumar Society,
DayaldasRoad, Vile-Parle (E.),
Mumbai- 400 057.

V/s

Public Information Officer, Respondent
District Superintendent of Police,
Ratnagiri.

The Appellate Authority,
District Collector,
Ratnagiri.

Facts:

The appellant by an application dated 20.3.2007 asked for information regarding false complaint against the applicant at Gramin Police Station, Ratnagiri by Bhagwatinagar Sarpanch, Shri Balwant Niwendkar.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 5.05.2007 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order in the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 28.8.2007 indicating that complete and correct information has not been made available to him.

Decision

Appellant is present. The First Appellate Authority (FAA) has sent a report dated 27.5.08. It is seen that the FAA has not given a hearing to the appellant and not given a reasoned decision which is not proper. I therefore remand the case to the Superintendent of Police, Ratnagiri who is the FAA. He should give a hearing to the appellant with a view to give him maximum information as per Right to Information Act and give a reasoned decision.

A compliance report should be submitted within 30 days.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 29th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 189 /02

Shri Madhukar Shankar Tandel, Appellant
Sarsole Gaon, Sector-6,
Nerul Node, Phase-2,
Nerul, Navi Mumbai-400 706.

V/s

Public Information Officer, Respondent
Estate Officer,
CIDCO Ltd., Nerul, Navi Mumbai.

The Appellate Authority,
General Manager(Administation),
CIDCO Ltd.,
2nd Floor, CIDCO Bhavan,
Belapur Navi Mumbai-400 614.

Facts:

The appellant by an application dated 10.7.2006 asked for information / documents regarding Chief Promoter, other members of Vaishno CHS, Nerul, Navi Mumbai.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 10.07.2006 indicating that the information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority did not pass any order in the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 22.12.2006 indicating that information asked for may be made available to him.

Decision

Appellant is present. Mr Deepak K. Jogi, Field Officer, CIDCO is present.

A period of about two years has passed but the information was not supplied by the Public Information, CIDCO. No hearing was given by the First Appellate Authority to the appellant for his appeal submitted in 14.08.2006.

Today about 430 pages of information has been given to the appellant in my presence by Shri Deepak Jogi. The Public information Officer has chosen to remain absent today and Shri Deepak Jogi came when CIDCO was contacted on phone.

The First Appellate Authority Shri J.B.Khanvilkar should enquire into this case and let me know who was responsible for the delay in supplying the information to the appellant.

Compliance be reported within 15 days.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 29th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 98 /01

Shri Deepak P. Nirgude, Appellant
Barak No. 1679/1, Behind Canara Bank ,
Section No 25 Ulhasnagar,
District:- Thane. .
V/s

Public Information Officer, Respondent
Assistant Commissioner of Police,
Wagale Estate Division, Thane.

The Appellate Authority,
Deputy Commissioner of Police Commissioner,
Zone – II, Near R.T.O. Office, Thane.

Facts:

The appellant by an application dated 29.05.2006 asked information and documents regarding details of custody of accused in case no.206/96 kept in Thane Wagale Estate lockup in the year 1996 along with details of lockup dairy, Police Station diary and other related information.

The Public Information Officer did not supply any the information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 08.06.2006 indicating that information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority did not pass any order on the first appeal.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 25.07.2006 indicating that information asked for has not been made available to him.

Decision

Appellant is present. Assistant Commissioner of Police of Wagale Estate Division is not present. However one Shri M.R.Bhangare, Wagale Estate Police Station is present.

It is seen that the appellant filed the first appeal before the Deputy Commissioner, Zone-I now called Zone-5 on 9.06.2006 but no hearing and no reasoned decision is given. Giving a hearing and decision is a must for proper implementation of R.T.I. Act and these proceedings are quasi judicial in nature.

The matter has been discussed with representatives of Anti Corruption Bureau, viz Shri M.P.Pawar, deputy S.P. ACB. Whatever information was needed from ACB has reached the

appellant. What is still unsupplied is information about Police lock up of Wagle Estate Police Station.

I therefore remand this appeal to the First Appellate Authority, Deputy Commissioner of Police, Zone-5, who should give a hearing to the appellant with a view to make available maximum information under the R.T.I. Act.

(Navin Kumar)

State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:-29th May, 2008

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 190 /02

Shri Shakil Ahemad Tayaab Momin, Appellant
House No.180/A, Kottergate,
Islampura, Bhivandi Dist-Thane.

V/s

Public Information Officer, Respondent
Assesor and Collector(Tax Deptt.),
Bhivandi, Nizampur City Municipal Corporation,
Bhivandi Dist- Thane- 421 302.

The Appellate Authority,
Deputy Commissioner (Head Quarters),
Bhivandi, Nizampur City Municipal Corporation,
Bhivandi Dist- Thane- 421 302.

Facts:

The appellant by an application dated 23.8.2006 asked for information regarding details of permission granted for construction of “Suleman Building” at Bhivandi.

The Public Information Officer supplied the information to the appellant by letter dated 11.9.2006.

The appellant thereafter filed the first appeal before the First Appellate Authority on 3.11.2006 indicating that the information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority disposed off the first appeal by an order dated 29.11.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 30.12.2006 indicating that complete information has not been made available to him.

Decision

Appellant is present. Shri D.J.Yadav, Assessment Officer and Public Information Officer (P.I.O.) is present. The appellant is satisfied about the information but he wants suitable penalty for delayed supply of information. It is seen that the First Appellate Authority (FAA) has given a reasoned decision on 29.11.06. The present FAA should issue show cause notices to those P.I.O.’s who have delayed the supply of information and after considering the same send me his recommendations for imposing penalty on the P.I.O.s if found responsible for delay.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 29th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 191 /02

Shri Pundalik Gajanan Gharat, Appellant
Next to Swamiraj Bunglow,
Valannaka, Opp. Petrol Pump,
Mahim Road, Palghar-401 404,
Dist-Thane.

V/s

Public Information Officer, Respondent
Revenue Circle Officer,
Boiser Revenue Circle,
Opp. Blue Dimond Hotel,
Baisar, Tal-Palghar, Dist-Thane.

The Appellate Authority,
Tahasildar, Palghar, Dist-Thane.

Facts:

The appellant by an application dated 21.7.2006 asked for information regarding government land at Mouje Boiser, Taluka Palghar, District:- Thane.

The Public Information Officer did not supply any information to the appellant.

The appellant thereafter filed the first appeal before the First Appellate Authority on 16.8.2006 indicating that the information asked for was not supplied to him by the Public Information Officer.

The First Appellate Authority disposed off the first appeal by letter dated 20.9.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 22.12.2006 indicating that complete and correct information has not been made available to him.

Decision

Appellant is present. Circle Officer (Shri Navneet N. Patil) is present. Public Information Officer of Tahsil Office Shri P.B.Patil (Treasury Avaal Karkun) is also present.

In this case the appellant had originally applied to Revenue Circle Officer (Shri Bipin Patil) about the names and addresses of the Panchas who signed a Panchanama done by him. He has not supplied the information so far, though he himself did the Panchanama. He has also been giving the impression that information would be called from Talathi and given.

He is guilty of delay. A show cause notice has been issued separately.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 29th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION
MAHARASHTRA – KONKAN REGION
Appeal under Section 19(3) of RTI Act 2005.
Appeal No.2008/ 192 /02

The Secretary, Appellant
Om Sai Leela CHS,
Birla College Raod, Millind Nagar,
Kalyan (West)-421 301.

V/s
Public Information Officer, Respondent
Deputy Executive Engineer,
M.S.E.D.C.Ltd.,
Kalyan Urban Sub-Division-1,
Behind Tejashri Building,
Karnik Road, Kalyan (Wesr).

The Appellate Authority,
Executive Engineer,
M.S.E.D.C.Ltd.,Kalyan Urban
Sub-Division-1,Behind Tejashri Building,
,Karnik Road, Kalyan (West).

Facts:

The appellant by an application dated 24.4.2006 asked for information regarding details of consumer number 020260036468 from the date of supply connection.

The Public Information Officer supplied the information to the appellant by letter dated 21.6.2006.

The appellant thereafter filed the first appeal before the First Appellate Authority on 21.6.2006 indicating that the information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority disposed off the first appeal by an order dated nil.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 5.12.2006 indicating that complete and correct information has not been made available to him.

Decision

Appellant is present. First Appellate Authority and Public Information Officer are present.

Heard both side. The matter has been substantially examined and decided at the level of First Appellate Authority(FAA). I do not wish to interfere with the decision of the FAA .

The appeal stands disposed.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 29th May, 2008.

BEFORE THE STATE INFORMATION COMMISSION

MAHARASHTRA – KONKAN REGION

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

Appeal No.2008/ 194 /02

Shri Siraj Ismail Shaikh, Appellant
Hasan Teli Building, 3rd Floor,
Takoli Mohalla, Kalwa,
Dist- Thane.

V/s

Public Information Officer, Respondent
Deputy Commissioner of Police (HQ),
Belapur Navi Mumbai.

The Appellate Authority,
Commissioner of Police,
Belapur Navi Mumbai.

Facts:

The appellant by an application dated 23.8.2006 asked for information regarding details of O.R.N. I.260/05 dated 30.12.2005 at Uran Police Station, Navi Mumbai.

The Public Information Officer supplied the information to the appellant by letter dated 4.9.2006.

The appellant thereafter filed the first appeal before the First Appellate Authority on 28.6.2006 indicating that the correct information asked for was not supplied to him by the Public Information Officer. The First Appellate Authority disposed off the first appeal by an order dated 1.5.2006.

The appellant has filed the present second appeal under Section 19(3) of the R.T.I. Act 2005 on 9.11.2006 indicating that complete and correct information has not been made available to him.

Decision

Appellant is present. From Police Department Shri V.P.Chavan, Administrative Officer and Assistant Public Information Officer is present.

In this case the appellant's main request is for copies of reports submitted by Police Station,Uran. He has produced a letter from Police Station Uran which shows that two reports have actually been submitted by it as follows :-

- i) Outward No.11101/2006 dated 09.03.2006
- ii) Outward No. 1145/2006 dated 11.07.2006

Now the investigation is over and the charge sheet has been filed in court.

I therefore remand the case to the First Appellate Authority i.e. Deputy Commissioner of Police (Head Quarters) for a fresh hearing to the appellant with a view to make available to appellant the copies of the above mentioned reports and any other related information asked by him. A Compliance report be sent in 30 days.

(Navin Kumar)
State Information Commissioner
Konkan Region

Konkan Bhavan,
Belapur, Navi Mumbai.
Date:- 29th May, 2008.