

GOA STATE INFORMATION COMMISSION

'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

Appeal No. 150/2016

Miss Elvina Barreto,
H.No. 553, Colsor,
Galgibaga, Canacona-Goa.

.....Appellant.

V/s.

1. Shri Sushant Loliengar,
The Secretary Cum Public Information Officer,
Village Panchayat Poinguinim,
Poinguinim Goa.

.. ..Respondents

CORAM:

Smt. Pratima K. Vernekar, State Information Commissioner

Appeal filed on:19/08/2016

Decided on:06/03/2017

ORDER

1. The appellant Miss Elvina Baretto herein by her application dated 24/06/2016 filed u/s 6(1) of the RTI Act 2005 sought certain information, from the Respondent No. 1 PIO from Secretary Village Panchayat Poinguinim, under several Points therein .
2. The said application was replied by the PIO on 8/08/2016 however according to the appellant the information as sought was not furnished correctly and hence the appellant filed the first appeal to the first appellate authority on 28/07/2016
3. The first appellate authority by an order dated 12/08/2016 dismissed the appeal by observing that the due information has been received and acknowledge by the appellant .
4. The appellant there for landed before this commission u/s 19(3) of the Act seeking prayers
 - a) to provide her correct information.

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- b) for directing PIO to place all the files of Village Panchayat Poinguinim pertaining to the said information for perusal and
- c) for taking the cognizance for fabricating the documents of public importance .
5. Notices were issued to the parties pursuant to which they appeared PIO on 24/2/17 filed reply to the appeal. Arguments were heard.
 6. It is the case of the appellant that her records of ownership have been manipulated and tempered by the Village Panchayat of Poinguinim. It is a further contention that the documents furnished to her are manipulated documents
 7. It is the case of the Respondent PIO the similar appeal seeking the same information which was filed by the appellant were dismissed by this authority by an order dated 22/2/2017. It is the further contention of the respondent that they have furnished the required information to the appellant on 12/8/2016 in the presence of the first appellate authority which appellant duly acknowledged of received the information. The copies of form 8 i.e. Demand collection register, Assessment register were relied by the Respondent No. 1 PIO in support of their contention. The PIO also submitted that the as per the Panchayat records the house bearing number 553 /1 is not entered in form No. 7 from 2010 till date.
 8. I have verified the information furnished to her vis-à-vis her RTI application. And it is seen that all the queries have been answered by the PIO.
 9. It is seen from the records that her application dated 24/06/2016 was not responded within 30 days there is a delay in responding her application . PIO is hereby instructed /directed to comply with the provision of section 7(1)of RTI Act hence forth and to respond to

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the application filed u/s 6(1) of RTI Act within time specified under the Act. Any such lapses in future will be viewed seriously .

10. The grievance of the appellant regarding fabrication and manipulation of her documents cannot be entertained by this commission as this commission has no jurisdiction to take cognizance of the same. The appellant can approach the competent authority with her grievance.
11. I am of the opinion that the ends of justice would meet with a direction to the PIO to give inspection of file/Register/ documents pertaining to said information for perusal of the appellant within 30 days of the passing of this order. The date of inspection should be mutually fixed by both the parties and the PIO should ensure that due inspection is given to the appellant.

The appeal is disposed accordingly. The proceedings stands closed.

Notify the parties.

Authenticated copies of the Order should be given to the parties free of cost.

Aggrieved party if any may move against this order by way of a Writ Petition as no further Appeal is provided against this order under the Right to Information Act 2005.

Pronounced in the open court.

Sd/-

(Ms. Pratima K. Vernekar)
State Information Commissioner
Goa State Information Commission,
Panaji-Goa

