

GOA STATE INFORMATION COMMISSION
Seventh Floor, Kamat Towers, Patto, Panaji, Goa.

Appeal No. 38/2018/SIC-I

Shri Sidhesh N. Gawas,
Bharoni-Wada, Navelim ,
Sankhalim-Goa

.....Appellant

V/s.

1. Shri Sanjay Parab,
The Public Information Officer (PIO),
Village Panchayat Secretary Navelim,
Sankhalim-Goa.

2. Shri Shrikant B. Pednekar,
First Appellate authority ,
Block Development Officer,
Bicholim Goa.

.....Respondents

CORAM:

Smt. Pratima K. Vernekar, State Information Commissioner

Filed on:06/02/2018

Decided on:04/04/2018

ORDER

1. The Facts in brief which arises in the present appeal are that the appellant Shri Sidhesh N. Gawas, by his application dated 8/8/2017 filed u/s 6 (1) of Right to Information Act, 2005, sought from Public Information Officer (PIO) of Village Panchayat Navelim Goa, certain information on 3 points as stated therein in the said application.
2. It is contention of the Appellant that the said application was responded by Respondent PIO on 6/10/2017. Being not satisfied with the reply of PIO, he preferred first appeal on 9/10/2017 before the Block Development Officer, being First Appellate Authority (FAA).
3. The first appellate authority disposed the said appeal vide order dated 22/11/2017 thereby permitting the appellant to inspect the documents relating to the subject matter .

4. Being aggrieved by the action of PIO and first appellate authority, the appellant has approached this Commission on 6/2/2018 by way of second appeal filed under section 19(3) of the RTI Act, 2005. In the second appeal he had sought for the direction as against respondent PIO to furnish him correct and complete information, free of cost and for invoking penal provisions.
5. Notice was issued to both the parties. In pursuant to which appellant was present in person. Respondent No.1 PIO Shri Hanumant Borkar appeared and on behalf of First appellate authority Shri Prakash Desai appeared .
6. The representative of first appellate authority produce on record the copy of the order of the first appellate authority
7. The PIO undertook to furnish the information at point No. 2 and 3 to the appellant and submitted that information at point No. 1 is pertaining to Land and Survey Department and as such he showed his desire to transfer the same to the concerned public authority which the appellant agreed. Accordingly the said information came to be furnished to the appellant alongwith the enclosure on 4/4/2018 before this commission.
8. On verification of the said information, the appellant submitted that he is satisfied with the information furnished to him and that he has no further grievance against PIO as his main object was to receive the information and on that ground he did not press for the penal provision. Accordingly he endorsed his say on memo of appeal .
9. It is seen from the records that there is delay in responding the application of the appellant. The same came to be responded only on 6/10/2017 not within stipulated time as contemplated u/s 7 of the RTI Act. It is also seen from the records that the appellant has made letters dated 12/12/2017 and 14/12/2017 to the PIO requesting him to provide him the information. It appears that then PIO Shri Sanjay Parab has not acted in conformity with the

provisions of the RTI Act. Lots of time and energy has been wasted by the appellant in pursuing his application. Lenient view is taken in the present matter as the appellant has graciously waived the penal provisions. However then PIO Shri Sanjay Parab is hereby directed to be vigilant while dealing with the RTI matters and any lapses in futures shall be viewed seriously.

10. In view of submission and the endorsement made by the appellant, nothing survives to be decided in the present proceedings

11. Appeal disposed accordingly. Proceeding 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

Ak/-

