

GOA STATE INFORMATION COMMISSION

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

Appeal No. 57/2018/SIC-I

Shri Babu Yeso alias Yeshwant Virnodkar,
r/o Girkarwada, Kepe,
Arambol, Pernem, -Goa

.....Appellant

V/s

1. The State Public Information Officer,
Secretary of Village Panchayat of Arambol,
Arambol, Pernem Goa.

2. The First Appellate Authority,
Block Development Officer of Pernem,
Pernem-Goa

..... Respondents

CORAM: Smt. Pratima K. Vernekar, State Information Commissioner.

Filed on:07/03/2018

Decided on: 09/04/2018

ORDER

- The brief facts leading to present appeal are that Information seeker Shri Babu Yeso alias Yeshwant Virnodkar by his application dated 07/12/2017 sought from Respondent No. 1 PIO of the Office of the Village Panchayat Arambol, Pernem Goa certain information i.e proceeding sheet and the resolution with reference to (i) VPA/PER/CERT/2014-15/566 dated 16/9/2014; (ii) House tax receipt dated 19/7/2011 bearing house No. 219.
- It is contention of the appellant that his application was responded by PIO on 3/1/2018 and on 8/1/2018 thereby providing him copy of resolution of the meeting dated 29/11/2017 however according to the appellant it was incomplete and misleading as such he preferred first appeal before the Block Development officer being first appellate authority on 23/1/2018.
- It is contention of the appellant that the Respondent No. 2 FAA did not disposed the said appeal within 30 days, as such he preferred

second appeal on 7/3/2018 before this commission under section 19(3), there by seeking relief of providing him complete information and for invoking penal provisions.

- 4.** In pursuant to the notice by this Commission appellant appeared Respondent PIO Shri Amit Prabhu and Respondent No. 2 Shri Amir Parab appeared.
- 5.** Affidavit filed by Shri Amit Prabhu on 9/4/2018 contending that the information was already provided to the appellant and as the information sought at point No. (a) and (b) are same, he had enclosed only one document and he pointed out to the appellant the relevant portion of the resolution dated 29/11/2017.
- 6.** Reply placed on record by Respondent No. 2 on 9/4/2018 thereby explaining the reasons for not disposing first appeal within stipulated time and he sought unconditional apology for not disposing first appeal in time and he assured and undertook to dispose off the first appeal in time in future.
- 7.** Copies of both replies filed by the respondents were furnished to the appellant.
- 8.** The appellant then submitted that the information furnished to him is up to his satisfaction and he has no any further grievance in respect of information furnished to him.
- 9.** It is seen from the records that application of the appellant was responded and information was furnished well within 30days of time as stipulated under RTI Act. As such I am of the opinion the facts of the present case doesn't warrant levy of penalty on PIO. However displeasure is hereby shown against the conduct of Respondent No.2 first appellate authority as he has acted in contravention of the provisions of RTI Act. By considering this as a first lapse, the First appellate authority is hereby directed to be vigilant henceforth

while dealing with the RTI matters and he is directed to act with conformity with the provisions of RTI Act henceforth .

Appeal disposed accordingly.

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

Ak/-