

**GOA STATE INFORMATION COMMISSION**  
'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

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**Appeal No. 165/2018/SIC-I**

Shri Sadanand Narvekar,  
H.No.7/25, Sautavaddo,  
Calangute, Bardez-Goa.

..... Appellant

**V/s**

1)The Public Information Officer,  
The Block Development Officer-I,  
2<sup>nd</sup> floor, Government office Complex,  
Bardez, Mapusa-Goa.

2)First Appellate Authority,  
Dy. Director of Panchayats(North),  
3<sup>rd</sup> floor, Junta House,  
Directorate of Panchayats,  
Panaji-Goa.

.....Respondents

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

**Filed on: 11/07/2018**  
**Decided on: 20/08/2018**

**ORDER**

1. The facts in brief which arises in the present appeal are that the appellant Shri Sadanand Narvekar, by his application dated 8/3/2018 sought certain information from the Respondent no. 1 PIO of the office of Block Development officer-I at Mapusa, Bardez Goa, as stated therein in the said application. The said information is sought by appellant in exercise of his rights u/s 6(1) of the RTI Act, 2005.
2. On the receipt of the said application by the Respondent No. 1 PIO, he vide letter dated 26/3/2018 provide the information and the appellant was requested to collect the same after depositing the amount of Rs. 6/- towards the Xerox charges.

3. It is the case of the appellant that he received incomplete information and reply for point No. 2 and 3 as such being not satisfied with such an response, he filed first appeal before Deputy Director of Panchayat on 26/4/2018 being First Appellate Authority, who is the Respondent No. 2 herein and the Respondent No. 2 First Appellate Authority dismissed the said appeal on 25/5/2018 coming to the conclusion that the available information is already furnished to the appellant by the Respondent No. 1 PIO.
4. Being aggrieved by action of both the Respondents, the appellant has approached this commission on 10/7/2018 by way of second appeal filed u/s 19(3) of RTI Act, thereby seeking direction as against Respondent PIO to furnish him correct and complete information asked by him at point No. 2 and 3 of his application dated 8/3/2018 and also for invoking penal provisions.
5. In pursuant to the notice of this commission the appellant was present in person. Respondent No. 1 PIO was represented by Village Panchayat Secretary (HQ), Shri Umesh Shetgaonkar, Respondent No. 2 First Appellate Authority opted to remain absent.
6. Reply filed by the Respondent No. 1 PIO on 8/8/2018. The copy of the same was furnished to the appellant .
7. Vide said reply the PIO has contended that whatever information was available in their office records on the date of reply was furnished to the appellant and that he is not suppose to create information or to interpret information or to solve the problems raised by the applicant.
8. Appellant submitted that the PIO only have furnished him the covering letter dated 1/8/2017 addressed to Block Development Officer by the Secretary of Village Panchayat Calangute wherein the copy of resolution of the meeting held on 14/7/2017 vide resolution

No. 1 (02)a, was enclosed to the said letter. He further contended that vide memorandum 27/6/2017 the Village Panchayat Secretary was also directed to submit the written explanation. However the PIO is silent on the same and has not replied whether there any written explanation have been submitted to the BDO. As such the PIO was directed by this Commission to clarify the said point.

9. Accordingly on 16/8/2018 PIO filed additional reply. The copy of the same was furnished to the appellant.
10. On scrutinizing the said reply it is seen that the respondent PIO have clearly clarified at para 1 & 3 that whatever information was existing in their office records in respect to point No. 2 & 3 of RTI application dated 8/3/2018 have been furnished to the appellant and there is no any other information existing in their records of their office besides what had been already furnished.
11. Since the PIO vide his additional reply dated 16/8/2018 have given clarification in respect of point no. 2 & 3 and as the available information/documents have been already provided to the appellant, I find no any further intervention of this commission is required for the purpose of furnishing information.
12. On going to the records it is seen that the application dated 8/3/2018 filed by appellant is responded on 26/3/2018 well within stipulated time of 30 days and whatever available information from the records have been provided to the appellant. The Respondent No.2 First appellate authority have also arrived at the conclusion that while deciding the first appeal that the information is already furnished to the appellant by the PIO. Considering the above peculiar facts in the present case , I am of the opinion that this is not a fit case warranting the levy of penalty on Respondent PIO. Hence the relief sought by the appellant in the nature of penal action cannot be granted.

13. 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