

**THE GOA STATE INFORMATION COMMISSION**  
**Seventh Floor, Kamat Towers, Patto, Panaji, Goa.**  
**CORAM: Smt. Pratima K. Vernekar, State Information Commissioner**

**Appeal No.168/2016**

Mr. Xavier Sequeira,  
H.No. 10, Pangulna,  
Sanguem Goa.  
V/s.

....Appellant

1. The State Public Information Officer,  
The Chief Officer,  
Sanguem Municipal Council,  
Sanguem Goa.
2. The First appellate Authority,  
The Asst. Director of Municipal Administration,  
Panaji Goa.

.....Respondents

**Filed on: 8/09/2016**

**Decided on: 4/01/2018**

**ORDER**

1. The appellant Shri Xavier Sequeira, has filed this appeal praying that Respondent Public Information Officer (PIO) be directed to furnish the information sought by the appellant immediately free of cost and penalty to be imposed on the PIO for the delay in furnishing the information.
2. The brief facts leading to the present appeal are as under:-  
That the appellant vide his application dated 11/03/2016 sought certain information under Right to Information Act, 2005 from the PIO of Sanguem Municipal Council who is Respondent No. 1 herein.
3. The said application of the appellant was responded by the Respondent No. 1 PIO on 15/04/2016. Being not satisfied with the said reply, the appellant preferred an appeal on 2/05/2016 before the Respondent No. 2 herein and the Respondent No. 2, FAA by an order dated 2/06/2016 directed the PIO to furnish the said information by 10/06/2016 free of cost.
4. According to the appellant the order of the First Appellate Authority (FAA) was not complied within stipulated time and the information which came to be furnished to him at point No. e, f, g, h, j, k, L was incomplete and incorrect, as such, he preferred the present appeal on 31/08/2016.

5. In pursuant to the notice of this Commission Appellant was represented by Savio Victoria. Respondent No. 1 was represented by Advocate Shri. Dattesh Naik. In the course of the present appeal proceedings the Advocate for the Respondent volunteered to furnish the information to the Appellant. The information with regards to point e, r, j,l came to be furnished to the appellant on 15/06/2017 and on 21/07/2017 and the Appellant was directed to verify the same and report accordingly.
6. The appellant on 17/08/2017 submitted that the information at point no. e, f, g, h, i, k is given incomplete as only the information pertaining to year 2015 and 2016 was provided to him.
7. On verification of the said information it is seen that it is replica of the reply given under section 7 of RTI Act, 2005.
8. The advocate for the Respondent on 20/12/2017 filed application enclosing copy of letter dated 15/04/2015 which was acknowledged by the appellant on 23/06/2016 and submitted that said information was furnished to him in pursuant to the order of FAA dated 2/06/2016.
9. On scrutiny of the records, it is seen from the application filed by the Appellant u/s 6 of the RTI Act, the appellant has sought information related to 2000 to 2016. The reply dated 15/04/2016 given in terms of section 7 of RTI Act, 2005 reveals that information at point no. e, f, k, l pertaining to year 2016-2017 were provided. The additional information at point No. e, f, j, l were provided on 15/06/2017. Still as complete information was not furnished to the appellant, this Commission directed the Respondent PIO to give correct information pertaining to year 2000 to 2015 to the Appellant.
10. The Advocate for the Respondent sought numerous adjournment to furnish the complete information on the pretext of same being voluminous in nature and of 16 years old. However, despite of undertaking failed to provide the same to the appellant.
11. The PIO should always keep in mind that the objective and the purpose for which the said RTI Act, came into existence. The main object of RTI Act is to bring transparency and accountability

in the public authority and the PIO are duty bound to act in true spirit. If the correct information was furnished to the appellant in the inception he would have saved valuable time and hardship in pursuing the said appeal. Public Authority must introspect that non furnishing of the correct or incomplete information lands the citizen before FAA and also before this Commission resulting into unnecessary harassment of the common men which is socially abhorring and legally impermissible.

12. Nevertheless the information sought by appellant pertains to year 2000 to 2016 and is voluminous in nature. The Respondent has initially shown his bonafides by responding and providing part of the information on 15/04/2016. However it is observed that the order passed is by Respondent No. 2 FAA on 2/06/2016. There was directions to furnish complete information within 10 days. The copy of information which is received by appellant on 23/06/2016, which is placed on record by application dated 20/12/2017 by Respondent PIO is replica of reply filed interms of section 7 of RTI Act. From the conduct of PIO, it appears that he was not serious enough in providing complete information and compliance of order of FAA appears to have been done as a mere formality. Such an attitude of PIO obstructs in bringing transparency in the affairs of public authority and as such is condemnable. However considering this as an first lapse on the part of PIO, a lenient view is taken in present matter and the PIO is hereby directed to be vigilant henceforth while dealing with the RTI matter and any such lapses in future shall be viewed seriously.

13. In the above given circumstances and also in the interest of justice following order is passed.

Order

a) The Respondent No. 1 PIO is hereby directed to furnish complete information at point no. e, f, g, h, i, k to the Appellant as sought by him vide his application dated 11/03/2016 within 4 weeks time from the date of the receipt of the order.

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 under the Right to Information Act 2005.

Sd/-

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

KK/-