

GOA STATE INFORMATION COMMISSION
Kamat Towers, seventh Floor, Patto, Panaji, Goa

Shri Prashant S. P. Tendolkar,
State Chief Information Commissioner

Appeal No.153/2017/CIC

Shri Ramnath R. Naik,
R/o H. No. 773/19,
Opp. Bina Punjani Hair Studio,
Chogam Road, Alto –Porvorim,
Bardez-Goa.

.... **Appellant**

V/s.

Public Information Officer ,
Office of the Administrator,
Comunidades of North –Zone,
Mapusa – Bardez –Goa.

..... **Respondent.**

Filed On: 27/09/2017

Disposed On: 09/09/2019

O R D E R

- 1) The appellant has filed the above appeal with a contention that his application, dated 27/02/2017 filed u/s 6(1) of The Right to Information Act 2005 (Act) was not decided within time and that inspite of order by First Appellate Authority the information is not furnished.
- 2) The appellant filed a memo submitting that Shri Rohan Kaskar was the PIO at the relevant time. The then PIO, filed his reply submitting that he was holding additional charges and that during the period from January to March 2017 he was appointed as the returning officer for assembly constituency. It is further represented by him that the information as was sought was in the nature of creation of records.
- 3) The appellant was initially represented by Shri Vaikunth Parab Gaonkar, but from 19/11/2018 he remained absent.

Sd/-

...2/-

The appellant was offered an opportunity to file his say on the reply filed by PIO. The PIO also failed to appear before this commission subsequently.

- 4) On perusal of the records it is seen that by application, dated 27/02/2017 the appellant has sought quite bulky information. Out of the same information at point (4),(6),(9),(14) &(15) are in the form of opinion which cannot be an information under the act.

Regarding information at points (2), (3), (12), (13) would involve preparation of data. However if the information at point (1) is furnished the entire information can be available.

- 5) The above circumstances I hold that the appellant is entitled to have the information as sought by him at points (1), (5), (7), (8), (10), (11), (16), of his application dated 27/02/2017.
- 6) The PIO has given the grounds which had prevented him to decide the application u/s 6(1) within time. He has also expressed remorse. Considering the same I find that a lenient view can be taken in respect of the penalty.
- 7) In the above circumstances I hereby direct PIO to furnish to appellant, the information sought by him at point (1), (5), (7), (8), (10), (11) & (16) of his application dated 27/02/2017 within fifteen days from the date of receipt of this order by him free of cost. Rest of the prayers are dismissed.

Parties be notified

Proceedings closed.

Sd/-

(Prashant S. P. Tendolkar)
State Chief Information Commissioner
Goa State Information Commission
Panaji -Goa

