

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

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

**Appeal No.59/2019/CIC**

Master Sousa Leonado Caetano,  
S. Bras, Gaundalim, Cumbarjua,  
Ilhas Goa 403107. .... **Appellant**

**V/s**

1)The Public Information Officer,  
O/o the Mamlatdar of Tiswadi at Panaji.  
Panaji –Goa.  
2)The First Appellate Authority,  
O/o Dy Collector & SDM & SDO Tiswadi,  
Panaji. .... **Respondents.**

**Date: 08/11/2019**

**O R D E R**

a) In the course of hearing of above matter on 30/10/2019, PIO submitted that as of date he has furnished the entire information to appellant, as was available with it as also by calling the same from the concerned offices/association. The appellant, who was present, admitted having received the entire information as was sought by him by his application dated 28/08/2018 and that he is insisting for considering the penalty on the PIO.

Considering the above submissions I find that no intervention of the commission is required in respect of the information as sought. It is the only penalty part which remains for the consideration in the present appeal.

b) On going through the appeal memo, it is seen that the appellant has not sought any relief of penalty. He insists that as the information was not furnished by the PIO he is liable for penalty. The appellant has not made any statement in the

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appeal memo as to when the order of First Appellate Authority was served on the PIO. It is further noted that the application u/s 6(1) of the RTI Act at point (4) thereof the appellant has sought the copies of tenancy declaration in respect of village Ella, however according to PIO the records are not maintained village wise but they are maintained taluka wise. Considering the above position it appears that the respondent authority are not holding the records as are sought by the appellant but they are held in a different format. In this situation it would have been appropriate that the appellant in the first instance inspect the records and there after seek the copies in the form and nature as are maintained.

It needs mentioned that the PIO's are not required to collate the information in the style and form as is sought by the appellant but they are required to furnish the information as it exist. In any case there appears to be an ambiguity in the information sought and lack of clarity with reference to the form in which it is maintained. Thus the delay in furnishing information appears to be contributory.

c) In the above circumstances and by applying the principle of equity, I find no prima facie grounds to initiate any proceedings for penalty u/s 20(1) and/or 20(2) of the act.

In the circumstances nothing survives in the present appeal and the same is disposed accordingly.

The order to be communicated to the parties.

Proceedings closed.

Sd/-

**(Shri. P. S.P. Tendolkar)**

Chief Information Commissioner  
Goa State Information Commission  
Panaji -Goa

