

GOA STATE INFORMATION COMMISSION

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

CORAM: Shri Juino De Souza: State Information Commissioner

Appeal No. 344/2019/SIC-II

Shri Nixon L. Furtado,
H. No. 51, Copelwado,
Sernabatim, Salcete Goa 403708

.... Appellant

v/s

1. Public Information Officer,
Office of the Village Panchayat of
Colva, Salcete Goa. 403708

2. First Appellate Authority,
O/o. Block Development Officer,
Salcete, Margao – Goa. 403602

.... Respondents

Relevant emerging dates:

Date of Hearing : 03-02-2020

Date of Decision : 03-02-2020

ORDER

1. **Brief facts** of the case are that the Appellant vide an RTI application dated 27/09/2019 sought information at four points u/s 6 (1) of the RTI Act, 2005 from the PIO, Secretary, V.P. Colva.
2. The Appellant is seeking information as follows: 1) To provide a copy of application with all supporting NOC's other documents produced by the applicant with the application. Also to provide copies of the Resolution taken by the Panchayat and the NOC issued to Luis D'Silva for running a fast food stall business gadda, (2) To provide a copy of application, with all supporting NOC,s other documents produced by the applicant with the application. Also to provide copies of the Resolution taken by the Panchayat and the NOC issued to Rancy Furtado for new restaurant by cooking food in a movable cabin. (3) To provide a copy of application, with all supporting NOC's other documents produced by the applicant with the application. Also to provide copies of the Resolution taken by the Panchayat and the NOC's issue to Pedro Goes mobile Kiosk, and (4) To provide a copy of the inward and outward register of 26/09/2019 maintain by the Village Panchayat.

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3. It is the case of the Appellant that there was no reply nor any information furnished by the PIO within the mandatory 30 days period as is required under Section 7 (1) of the RTI Act and which is why the Appellant filed a First Appeal on 29/10/2019, and the First Appellate Authority (FAA) vide an short Order dated 26/11/2019 on the Roznama disposed off the said First Appeal by directing the Respondent PIO to hand over complete information to the Appellant as sought as per the RTI application within seven days free of cost.
4. Being aggrieved that despite the direction of the First Appellate Authority (FAA), the PIO has not furnished information, the Appellant subsequently has filed a Second Appeal before the Commission registered on 05/12/2019 and has prayed to direct the PIO to furnish the information as sought in the RTI application dated 27/09/2019 and for imposing penalty and other such reliefs.
5. **HEARING:** This matter by consent has taken up for final disposal and during the hearing the Appellant is represented by Shri. Nevil B. Furtado, whose letter of authority is on record. The Respondent PIO, Shri. Amol Tilve, Secretary V.P. Colva, Salcete is present in person. Also present on behalf of the PIO is Adv. Joel Mendes whose Vakalatnama is on record. The FAA is absent.
6. **SUBMISSIONS:** At the outset the representative for the Appellant submits that the PIO has brought part information and that some documents are yet to be furnished. It is pointed out that the information that was produced before the commission at the last hearing held on 28/01/2020 have not been brought today by the PIO and that the complete information can be furnished by the PIO in the Village Panchayat of Colva itself. Shri Nevil Furtado for the appellant requests that directions be issued to the PIO to furnish complete information accordingly after which he will proceed to withdraw the appeal.

7. The Respondent PIO, Shri Amol Tilve submits that inadvertently that some documents were left behind in the Panchayat and that there are some other documents which still remain to be Xeroxed. He submits that he undertakes to furnish the complete set of information documents to the representative of the Appellant in the Panchayat itself.
8. **DECISION:** In view that some documents were inadvertently left behind and the fact that some other documents are still to be Xeroxed and in view of the assurance given by the Respondent PIO that he will furnish the complete set of documents to the Appellant in the Panchayat of Colva, the Commission hereby directs the Respondent PIO to furnish a complete set of information documents within 15 working days of the receipt of this order.
9. The Respondent PIO shall intimate the appellant / or representative for the appellant after the information is ready either telephonically or by speed post or by hand delivery to collect the information documents which shall be provided free of cost. The Appellant / or representative for the appellant upon receipt of the information documents shall acknowledge having received the same by endorsing his signature. The PIO to file a compliance report after the said information is furnished.

With these directions the Appeal case stands disposed.

Pronounced before the parties who are present at the conclusion of the hearing. Notify the parties concerned. Authenticated copies of the order be given free of cost.

Sd/-
(Juino De Souza)
State Information Commissioner