

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

**CORAM: Shri Juino De Souza: State Information Commissioner**

**Penalty Case No.09/2020/SIC-II  
In Complaint No.52/2019/SIC-II**

Shri. Nitin Y. Patekar,  
Oshal Bag Dhargal,  
P.O. Colvale – Goa.

**....Complainant**

**v/s**

- 1.Public Information Officer,  
O/o Block Development Officer,  
Pernem Goa.
- 2.The First Appellate Authority,  
O/o Directorate of Panchayats, Junta  
House, Panaji-Goa.

**.... Opponents**

**Relevant emerging dates:**

**Date of Hearing : 20-02-2020**

**Date of Decision : 20-02-2020**

**O R D E R**

1. Brief facts of the case are that this Commission had vide order dated 27/01/2020 in the above matter directed to issue notice to the Respondent PIO, to show cause u/s 20(1) of the RTI act 2005 as to why penal action should not be taken against him for furnishing false and incorrect information and the explanation, if any should reach the Commission on or before 13/02/2020.
2. **HEARING:** Pursuant to the notice issued, the former PIO, Shri. Amir Parab, presently posted as Under Secretary Law (Estt.), Secretariat, Porvorim-Goa appears before the Commission and tenders his explanation.
3. **SUBMISSIONS:** Shri Amir Parab submits that the allegation made by the Complainant at the hearing held before the Commission on 13/02/2020 by stating that the PIO in point No.2(II) has furnished false and incorrect information is not true. It is submitted that when the RTI application was filed by the Complainant on 02/11/2017 there was no measurement recorded in the measurement book.....

..... and that measurement was recorded in the measurement book only on 02/01/2018 and not in the year 2017. The former PIO furnishes a copy of form No.24 First & Final bill showing that the measurement was recorded on 02/01/2018. Shri Amir Parab files a written explanation dated 20/02/2020 confirming the facts which is taken on record.

4. **FINDINGS**: The Commission finds that while the Complainant is accusing the PIO furnishing him false and incorrect information no evidence has been produced to prove such allegation. The Complainant has submitted that he came to know that false and incorrect information was furnished by the PIO only when he filed the second RTI application, however the Complainant could neither remember the date on which he filed the second RTI application nor could produce copy of the second RTI application for the scrutiny.
5. Shri.Amir Y. Parab has explained that the measurement was recorded in the book on 02/01/2018 and has produced form No.24 First & Final bill showing that the measurement was recorded on 02/01/2018 and which clearly confirms that there was no measurement taken nor recorded in the measurement book when the RTI application was filed 02/11/2017.
6. **DECISION**: The Commission comes to the conclusion that the PIO has indeed furnished true and correct information in his reply dated 30/11/2017 by stating in point 2(II) that measurement is not yet recorded in the measurement book and finds that the PIO is not guilty of furnishing false information.

**The penalty proceedings accordingly stand closed.**

Pronounced at the conclusion of the hearing. Notify the party concerned.  
Authenticated copies of the order be given free of cost.

Sd/-  
**(Juino De Souza)**  
**State Information Commissioner**

