

GOA STATE INFORMATION COMMISSION

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Appeal No. 01/2021/SCIC

Shri Premanand Ram Naik,
H.No. 64, Nagzar, Curti,
Ponda Goa.

-----Appellant

v/s

The Public Information Officer,
Secretary, V.P. of Curti-Khandepar,
Ponda-Goa.

-----Respondent

Shri Vishwas Satarkar - State Chief Information Commissioner

Filed on:- 05/01/2021

Decided on: 27/04/2021

ORDER

1. The brief facts leading to second appeal filed by the Appellant Shri. Premanand Ram Naik against the Public Information Officer (PIO), Secretary, Curti- Khandepar Panchayat are as follows:-

a. Appellant vide his application dated 8/2/2020 sought certain information on three points from the Respondent, pertaining to opening sheets of all tender files issued on 03/01/2020, details of the official present when the tender box was opened and other information.

b. It is the contention of the Appellant that said request was not properly replied by the PIO by his reply dated 16/10/2020 and as no information was furnished to him, he filed first appeal before First Appellate Authority (FAA), Block Development Officer at Ponda on 25/02/2020.

c. It is the contention of the Appellant that FAA, by its order dated 14/10/2020 directed the PIO to furnish the required information to the Appellant free of cost and warned the Appellant to follow the provisions of RTI Act in true letter and spirit including the time limit.

d. It is further contention of the Appellant that, inspite of the order passed by the FAA, the PIO failed and neglected to furnish the information and therefore preferred present appeal praying therein to direct the PIO to provide the complete information sought by Appellant as per his application dated 08/02/2020 free of cost. The Appellant also urged that the penalty be imposed on the PIO for deliberate delay in furnishing the information and for defying the order of FAA.

2. Matter was listed on board and was taken up for hearing. Pursuant to which, Appellant and Respondent PIO remained present in person.
3. PIO, Village Panchayat Secretary of Village Panchayat Curti-Khandepar submits that he is ready and willing to give inspection of documents. On the basis of the said submission, this Commission fixed the inspection of records on 12/04/2021 at 11.00 a.m. in the office of PIO and directed the Appellant to specify the required documents from the said file to take the xerox copy of the records and accordingly matter was fixed for compliance on 16/04/2021.

On this day PIO submits that, he has given the inspection of the required file and submitted inspection attendance sheet and also filed his reply stating that due to Covid pandemic situation and lockdown there has been delay in furnishing the information, however information sought by the Appellant was ready with PIO however, erroneously remained in information ready bunch.

4. Since the Appellant was not satisfied with the first inspection, the PIO again volunteered to provide the inspection of all the files, relating to specific information at point no. 1 i.e. (ref. no. 05/VPCC/2019-20/2873) on 19/04/2021.
5. The PIO also placed on record, the letter stating that, he has furnished opening sheet of tender file of 12 numbers against tender notice no. 05/VPCC/2019-20/2873 dated 03/01/2020 vide reference no. VPCC/2021-22/116 on 19/04/2021 and that he has furnished information as sought by the Appellant.
6. Though PIO has now complied with furnishing of information, and report to that effect has been submitted, there is considerable delay in replying to the original application. The

reasons brought on record by the PIO do not justify the inordinate gap between the application and the reply.

7. PIO should have been more careful in disposing the application, in the timeline prescribed or atleast within a reasonable time.
8. The Appellant in his written submission prayed for imposition of penalty, however, during the personal hearing, did not insist on imposition of penalty and was satisfied with the inspection of documents and furnishing of information.
9. The PIO, Shri Rupesh Halarnakar should be careful henceforth in disposing the application under Right to Information Act, 2005 within the prescribed time limit and should strictly adhere to the provision under the Act.
10. With this observation, the proceeding stands closed.

Pronounced in Open Court.

Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner

Goa State Information Commission,

Panaji-Goa.