

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

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Appeal No. 176/2020

Shri. Jairam A. Parsekar,
r/o. Police Quarters No. B-19-3,
Alto Porvorim, Bardez-Goa.
403521

.....Appellant

V/S

1. The Public Information Officer,
Secretary, Village Panchayat,
Madrem, Goa. 403527

2. The First Appellate Authority,
Block Development Officer,
Pernem Goa.

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 19/10/2020

Decided on: 24/11/2021

FACTS IN BRIEF

1. The Appellant, Jairam Atmaram Parsekar, r/o. Government Police Quarters, Bldg No. B-19-3, Alto Porvorim, Goa by his application dated 27/01/2020 filed under sec 6(1) of the Right to Information Act, 2005 (Act for short) sought certain information on 20 points therein from Public Information Officer, Secretary, Village Panchayat Madrem, Pernem Goa.
2. The said application was replied on 24/02/2020 by which information has been provided except for the information at Point No. 11, 12,13,14,15 and 16 being not traceable.
3. According to the Appellant, the information furnished was incomplete and being not satisfied with the reply, he filed first appeal to Block Development Officer at Pernem being the First Appellate Authority (FAA).
4. The FAA by order dated 20/07/2020, disposed off said appeal by upholding the reply of PIO.

5. Aggrieved with the order of FAA, Appellant preferred the present appeal under sec 19(3) of the Act, before this Commission with the prayer (a) PIO be penalised for providing incorrect information (b) direction be issued to PIO to provide correct information and other reliefs.
6. Notice was issued to the parties, pursuant to which the then PIO, Amit Prabhu appeared and filed his reply, representative of FAA appeared, however opted not to file any reply in the matter.
7. During the course of hearing on 02/08/2021, PIO submitted that, he has furnished all the documents to the Appellant except the copy of form No. 7 and 8 and he undertakes to produce it on the next date of hearing.
8. On the next date of hearing, PIO furnished copy of form No. 7 of the Panchayat records and submitted that form No. 8 is a big chart and it is difficult to take out Xerox. Commission therefore directed the Appellant to visit the office of PIO at Village Panchayat Mandrem and inspect the document and identify the required documents to furnish the copies of the said documents, and the matter was posted for compliance.
9. In the subsequent hearing on 27/09/2021, Appellant Jairam Parsekar appeared and submits that as per the direction of Commission he visited the office of PIO at Madrem, Pernem Goa inspected the file and PIO accordingly supplied him the information in respect of form No. 7 and 8. He also placed on record an additional bunch of documents alongwith covering letter dated 24/09/2021.

The Appellant made endorsement on appeal memo that "As I received all the information, appropriate order may be passed."

10. Although this appeal was heard finally and it was posted for order on 30/09/2021, the Appellant appeared and mentioned the matter to place on record his written submission. Therefore the appeal was further heard on 26/10/2021, and written submission of the Appellant was considered.

11. In this background, I find that there is no denial of information by the PIO. I find that the approach of the PIO is bonafide and genuine and therefore there is no ground to invoke any penal action against the PIO under sec 20 of the Act.

Considering the above position the appeal stands disposed with following:-

O R D E R

The appeal is dismissed.

Proceedings closed.

Pronounced in the open court.

Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner