

GOA STATE INFORMATION COMMISSION

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Appeal No.217/2020/

Shri. Suresh Raghuvir Talkatkar,
Shemchadvan Warkhand,
Pernem-Goa.

.....Appellant

V/S

1. Public Information Officer,
Village Panachayat Warkhand,
Pernem-Goa .

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

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 22/12/2020

Decided on: 29/07/2021

FACTS IN BRIEF

1. The Appellant herein by his application dated 25/06/2020 filed under sec 6(1) of the Right to Information Act, 2005 (Act for short) sought certain information from the Respondent No. 1, Public Information Officer (PIO), Secretary of Village Panachayat Warkhand, Pernem Goa under seven points therein.
2. The said application was replied on 27/07/2020. However according to Appellant the information as sought was incomplete and false information and hence Appellant filed first appeal to the Respondent No. 2, the Block Development Officer, Pernem Goa being the First Appellate Authority (FAA).
3. The FAA by order dated 16/09/2020 allowed said appeal and directed the PIO to give inspection of records maintained by Village Panachayat, pertaining to the RTI application and provide the information, if any within the period of 15 days.

4. The Appellant contends that order of the FAA dated 16/09/2020 is against the provision RTI Act 2005 and has landed before this Commission in this second appeal under sec 19(3) of the Act with the prayer that PIO be directed to issue correct and rightful information.
5. Notices were issued to the parties, pursuant to which they appeared. PIO on 01/04/2021 appeared and filed his reply and submitted that he is ready and willing to give inspection of records so that the required information can be located and the same can be furnished.
6. Accordingly this Commission directed the Appellant to attend the office of PIO, i.e. Village Panachayat office of Warkhand, Pernem Goa on 28/04/2021 at 10:00 am for joint inspection and also directed the Appellant to indicate the required documents to furnish the copies of the said documents and matter posted for compliance on 10/05/2021 thereafter two hearings were adjourned for reason of lockdown.
7. In the subsequent hearing on 12/07/2021, PIO, Shri. Mukund Ukshekar appeared and submits that, as per the direction of Commission he was present in the office of V.P. Warkhand, Pedne Goa on 28/04/2021 at 10:00 am to offer inspection of documents. However Appellant did not appear for joint inspection of records neither did he intimate him about not remaining present for inspection.
8. I have perused the records and considered the contention of PIO. According to PIO, he has complied the order of FAA dated 16/09/2020. He also submits that, he has furnished all the information available in his office. During the course of hearing, he also placed on record an additional bunch of document alongwith letter dated 23/07/2021.

9. In the present appeal, the contention of the Appellant that the information furnished was incomplete and incorrect information. I am unable to accept this contention as the reply of the PIO to the applicant at the first stage, as well as at the Appellant stage appears to be complete. The PIO has granted inspection of documents pursuant to order of the FAA. The Commission has also given the Appellant to inspect the records. The PIO is expected to furnish the information in the form and the manner in which it exists. The PIO has furnished the information as it is maintained.
10. On all subsequent hearing the Appellant did not appear before this Commission i.e. on 12/07/2021, 23/07/2021 and 29/07/2021.
11. In the backdrop of above facts, I find no denial of information by the PIO, hence I dispose the present appeal with following:

O R D E R

The appeal stands dismissed.

Proceedings closed.

Pronounced in the open court.

Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner