

GOA STATE INFORMATION COMMISSION

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

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Appeal No. 281/2021/SCIC

Antonio D'Silva,
H.No. 162/B, Piedade Waddo,
Arossim, Cansaulim-Goa 403712.

.....Appellant

V/S

1. Public Information Officer / V.P. Secretary,
Village Panchayat Cansaulim-Arossim-Cuelim,
Mormugao-Goa 403712.

2. The First Appellate Authority,
Block Development Officer,
Mormugao Taluka,
Vasco-Da-Gama, Goa.

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 09/11/2021

Decided on: 15/07/2022

ORDER

1. The facts of the case in nutshell are that, the Appellant, Antonio D'Silva, r/o. H.No. 162/B, Piedade Waddo, Arossim, Cansaulim-Goa by his application dated Nil inwarded in the office of Village Panchayat Cansaulim-Arossim-Cuelim, Mormugao Goa under sec 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought inspection and thereafter information from the Public Information Officer (PIO) of Village Panchayat Cansaulim-Arossim-Cuelim, Mormugao-Goa.
2. The said application was not replied by the PIO within stipulated time, deeming the said as refusal, the Appellant filed first appeal under section 19(1) of the Act, before the Block Development Officer, Mormugao, Goa being the First Appellate Authority (FAA).
3. The FAA by its order dated 17/06/2021 allowed the first appeal and directed the PIO to furnish the information free of cost to the Appellant within the period of 10 days from the receipt of the order.

4. Since the PIO failed and neglected to furnish the information as directed by the FAA, the Appellant landed before the Commission by this second appeal under section 19(3) of the Act with the prayer to direct the PIO to comply the order of the FAA and furnish the information free of cost, and also to impose penalty for violating the order of the FAA.
5. Notice was issued to the parties, pursuant to which the PIO, Shri. Sainath Padwal appeared and filed his reply on 21/01/2022, the representative of the FAA, Shri. Supresh Mayekar appeared and placed on record the reply of the FAA on 06/12/2021 and matter was posted for argument on 29/04/2022.
6. During the course of argument, the PIO, Shri. Sainath Padwal submitted that he has recently taken the charge as a Secretary of Village Panchayat Cansaulim-Arossim-Cuelim and that he is ready and willing to furnish the information. Since the Commission is concerned about furnishing the information as sought by the seeker, the Commission directed the PIO to furnish the information on next date of hearing and matter fixed for compliance.
7. On the date of hearing dated 27/06/2022, the PIO appeared and produced voluminous and bulky documents about 3000 pages alongwith covering letter dated 09/06/2022 and submitted that because of information sought was voluminous there was delay. The Appellant, Antonio D'Silva received the information and made endorsement that "Received the information on 27/06/2022". He also submitted that he is satisfied with the information provided by the incumbent PIO, however he pressed to impose penalty against the then PIO, Shri. Vidhur Phadte for causing delay in furnishing the information.

8. Considering the fact and circumstances and overall view of the matter and being voluminous information provided free of cost to the Appellant, I am not inclined to impose penalty and therefore the matter is disposed off.

- Proceeding closed.
- Pronounced in open court.
- Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner