GOA STATE INFORMATION COMMISSION
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Appeal No. 13/2022/SCIC

Aleixo Azavedo,
H.No. 212, Ozorio Vaddo,
Arossim, Cansaulim,
Mormugao, Goa. 403712. .....Appellant

V/S

1. The Public Information Officer,
Village Panchayat Secretary,
Village Panchayat of Cansaulim-Arossim-Cuelim,
P.O. Cansaulim, Mormugao, Goa. 403712.

2. The First Appellate Authority,
Block Development Officer,
Mormugao, Vasco-Da-Gama, Goa. 403802. .....Respondents

Shri. Vishwas R. Satarkar State Chief Information Commissioner

Filed on: 24/01/2022
Decided on: 05/04/2022

FACTS IN BRIEF

1. The Appellant, Mr. Alexio Azavedo, r/o. H.No. 212, Ozorio Vaddo, Arossim, Cansaulim, Mormugao, Goa by his application dated 13/10/2021 filed under section 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought certain information from the Public Information Officer (PIO) of Village Panchayat of Cansaulim- Arossim- Cuelim, Mormugao, Goa.

2. Since the said application was not responded by the PIO within stipulated period, deeming the same as refusal, Appellant filed first appeal before the Block Development Officer, Mormugao Block, Vasco-Da-Gama, Goa being the First Appellate Authority (FAA).

3. The FAA by its order dated 14/12/2021, allowed the first appeal and directed the PIO to provide the inspection and furnish the information within 10 days.

4. Since the PIO failed to comply with the order of FAA, he landed before the Commission with this second appeal under section 19(3)

of the Act with the prayer to direct the PIO to furnish the information free of cost and to impose penalty for denying the information.

5. Notice was issued to the parties, pursuant to which the PIO, Shri. Sainath Padwal present alongwith the then PIO, Shri. Vidhur Fadte on 28/02/2022. The Appellant also appeared in person and placed on record one letter dated 07/02/2022.

6. According to the said letter, the present PIO provided him the entire information on 01/02/2022 and that he is satisfied with the information. He also submitted that since he received the purported information nothing subsists in the present appeal and that he does not want to proceed with the appeal, however he pressed for imposition of penalty on the then PIO, Shri. Vidhur H. Fadte.

7. On perusal of the records, it reveals that, PIO failed to reply the RTI application of the Appellant within stipulated time nor furnished the information. Under Section 7(1) of the Act, the PIO is required to dispose the request of the seeker within 30 days. Disposal of the request may be result in furnishing of information on payment of fees or rejection of request on ground as mentioned in section 8 and/or section 9 of the Act. In case if PIO finds that information can be furnished he has to furnish within the said time or refuse it also within the said time, and thus any of such exercise has to be completed within 30 days.

8. I find it appropriate to remind the then PIO, Shri. Vidhur Fadte to deal with the RTI application with due sanctity. Such a task is a part of his duty as PIO and any lapse in performance of the said duties is contrary to the service condition. However this being the first lapse, a lenient view is adopted. Needless to say that if there is any such lapse on the part of PIO it shall be viewed seriously.

In view of the fact that the information has been furnished to the Appellant free of cost, the matter is disposed off.

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

Sd/-

(Vishwas R. Satarkar)
State Chief Information Commissioner