

**GOA STATE INFORMATION COMMISSION**

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

Tel No. 0832-2437908/2437208 email: [spio-gsic.goa@nic.in](mailto:spio-gsic.goa@nic.in) website:www.gsic.goa.gov.in

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**Appeal No. 25/2022/SCIC**

Sunil Rasiklal Gangani,  
R/o. Galaxy Bldg, Dr. A.B. Road,  
Panaji-Goa.

.....Appellant

V/S

1. The Public Information Officer,  
V.P. Secretary,  
Village Panchayat of Guirim,  
Guirim, Bardez-Goa.

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

.....Respondents

**Shri. Vishwas R. Satarkar**

State Chief Information Commissioner

**Filed on: 18/01/2022**

**Decided on: 15/03/2022**

**ORDER**

1. The Appellant, Shri. Sunil Rasiklal Gangani, r/o. Galaxy Building, Dr. A. B. Road, Panaji Goa by his application dated 30/08/2021 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 Guirim, Bardez-Goa.
2. Since the said application was not responded by the PIO within stipulated time, deeming the same as refusal, the Appellant preferred first appeal before the Block Development Officer at Bardez, Mapusa Goa being the First Appellate Authority(FAA).
3. The FAA by its order dated 28/10/2021 allowed the first appeal and directed the PIO to search the records and provide complete information to the Appellant within 15 days.

4. Since the PIO failed to comply the order of FAA, Appellant landed before the Commission by this second appeal under section 19(3) of the Act.
5. Notice was issued to the parties, pursuant to which the PIO, Mr. Orville Vales appeared on 23/02/2022 and submitted that he is ready and willing to furnish the information. Accordingly the Commission directed the PIO to furnish the information to the Appellant on the next date of hearing. Representative of FAA, Shri. Umesh Shetgaonkar appeared and filed reply on 08/03/2022.
6. During the course of hearing today i.e on 08/03/2022, one letter received from the PIO through entry registry dated 08/03/2022, he has submitted that in continuation of his earlier reply dated 27/10/2021, he furnished the information on point No. 3 and with regards to information on point No. 4 and 5, they are not found in the records of Panchayat.
7. Appellant submitted that, PIO has complied with all the information available in his records and that he is satisfied with the reply, however he pressed for the penalty against the PIO for neglecting his RTI application.
8. Under section 7(1) of the Act, the PIO is required to dispose the request of the seeker within 30 days. Disposal of request may 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 the PIO finds that the information can be furnished, he has to furnish within said time or refuse it also within the said time, and thus any of such exercise has to be completed within 30 days.
9. By order dated 28/10/2021, the FAA, Block Development Officer, Bardez, Mapusa Goa directed the PIO to provide the information

within 15 days. Record indicates that the PIO neither replied to RTI application of the Appellant nor has not taken any steps to comply the order of FAA, as a result, the Appellant was forced to file this second appeal to obtain the information.

10. Today in this second appeal, PIO has furnished the information. He could have undertaken the same exercise immediately on receipt of RTI application or by complying the order of FAA, if the said information was initially available with him. Such an attitude on part of the PIO is inappropriate and against the spirit of RTI Act. Considering the above, I find that the PIO deliberately and wilfully withheld the information from being disclosed to the Appellant. The Commission hereby warn the PIO to act diligently henceforth in dealing with the RTI matters. However this being the first lapse, as noted by the Commission, a lenient approach is adopted.

I am also not inclined to impose penalty on PIO as pressed by Appellant at the time of argument as he did not seek any prayer to that effect in the appeal proceeding.

In view of above, the matter is disposed off.

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

**(Vishwas R. Satarkar)**  
State Chief Information Commissioner