

GOA STATE INFORMATION COMMISSION

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

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Appeal No. 87/2021/SCIC

Anthony Lopes,
234, Cobravaddo,
Calangute, Bardez-Goa. 403516.

.....Appellant

V/S

1. The Public Information Officer,
Village Panchayat of Calangute,
Bardez-Goa.

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

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 07/04/2021

Decided on: 25/04/2022

ORDER

1. The Appellant, Mr. Anthony Lopes, r/o. 234, Cobravaddo, Calangute, Bardez- Goa by his application dated 01/12/2020 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), Village Panchayat Calangute , Bardez-Goa.
2. Since the said application was not responded by the PIO within stipulated time, deeming the same as refusal, the Appellant filed first appeal before the Block Development Officer at Mapusa, Goa being the First Appellate Authority (FAA).
3. The FAA by its order dated 05/02/2021, allowed the first appeal and directed the PIO to furnish the complete information to the Appellant within 15 days.
4. Since the PIO failed and neglected to comply the order of FAA, the Appellant landed before the Commission by this second appeal under section 19(3) of the Act.

5. Parties were notified, pursuant to which Adv. Prachi Sawant appeared on behalf of PIO and filed reply on 25/03/2022, representative of the FAA appeared, however opted not to file any reply in the matter.
6. Perused the pleadings, reply, written synopsis and considered the oral arguments of the rival parties.
7. Learned Adv. Prachi Sawant submitted that PIO has already furnished the desired information to the Appellant free of cost and complied the order of FAA and pointed out para No. 6 of the rejoinder filed by the Appellant, wherein Appellant admitted that PIO called him in the office of Panchayat and furnished the correct information.
8. The Appellant also admitted that he received the purported information, however he stressed upon to impose penalty on the PIO for intentional delay in furnishing the information.
9. On perusal of records, it reveals that, the 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. In the present case, the PIO waited to file the reply till the notice of second appeal and that too without stating any justification for delay in furnishing the information. If the information was initially available in records, he could have undertaken the same exercise immediately on the receipt of RTI application. I find that the PIO deliberately and wilfully delayed to furnish the information. The Commission hereby warns the PIO to act diligently henceforth while dealing with the RTI matters.
10. In the above circumstances, I find that the information as available is duly furnished to the Appellant free of cost. I therefore

find no ground to impose penalty on the PIO as prayed by the Appellant. The appeal is therefore dismissed.

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

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner