

**GOA STATE INFORMATION COMMISSION**

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**Shri. Sanjay N. Dhavalikar**, State Information Commissioner

**Appeal No. 304/2021/SIC**

Shri. Nazareth Baretto,  
R/o. H.No. 126, Borda,  
Margao, Salcete-Goa.

-----Appellant

**v/s**

The Public Information Officer,  
Village Panchayat of Davorlim-Dicarpale,  
PO Navelim,  
Salcete-Goa.

-----Respondents

**Relevant dates emerging from appeal:**

RTI application filed on	: 08/04/2021
PIO replied on	: 30/04/2021
First appeal filed on	: 22/07/2021
First Appellate Authority order passed on	: 31/08/2021
Second appeal received on	: 23/12/2021
Decided on	: 19/09/2022

**ORDER**

1. Aggrieved by non furnishing of complete information and non compliance of the order of the First Appellate Authority (FAA), appellant under Section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') filed second appeal before the Commission against the Public Information Officer (PIO).
2. It is the contention of the appellant that the PIO failed to furnish complete information to him, hence he filed appeal before the FAA, which was disposed by the FAA with direction to PIO to furnish the remaining information within 15 days. However, no information was furnished after the FAA's direction.
3. Notice was issued to the concerned parties, pursuant to which appellant appeared and filed rejoinder on 06/04/2022, submission dated 13/06/2022 and reply dated 23/08/2022. Shri. Prabhakar Kamati, the then PIO and Shri. Mario J. J. Viegas, present PIO

appeared in person. Shri. Prabhakar Kamati filed reply on 16/03/2022 and submission dated 29/06/2022.

4. Shri. Prabhakar Kamati, the then PIO stated that, he had furnished the available information vide reply dated 30/04/2021. Later, as per the direction of the Commission all files were made available for inspection to the appellant on 13/05/2022. The appellant attended and verified the records.
5. Upon perusal of the records and submissions, the Commission notes that, Shri. Prabhakar Kamati, the then PIO had issued a reply dated 30/04/2021 to the appellant and the available information was furnished. However, the appellant filed first appeal before FAA since part information was not furnished. Further, FAA directed the PIO to furnish the remaining information. Shri. Prabhakar Kamati, who was the PIO on the day of the order of the FAA, was required to comply with the order of the FAA.
6. It appears that appellant was not furnished the remaining information by Shri. Prabhakar Kamati, the then PIO, rather PIO maintained that the remaining information is not available. The Commission, on 27/04/2022 directed the PIO to give another opportunity to the appellant to inspect the relevant records. The inspection was provided on 13/05/2022, however, appellant contended before the Commission that no files were shown to him for inspection. On this background, the onus was on Shri. Prabhakar Kamati, the then PIO to bring on record that the relevant files were provided for inspection.
7. With these observations, the Commission concludes that Shri. Prabhakar Kamati, PIO at the time when FAA had passed the order and Shri. Mario Viegas, the present PIO have failed to furnish the complete information and also Shri. Prabhakar Kamati have failed to prove on record that the relevant files were provided for inspection to

the appellant. This being the case the present PIO is required to provide remaining information to the appellant.

8. In the light of above discussion the present appeal is disposed with the following order:-

a) PIO is directed to furnish the remaining information sought by the appellant vide application dated 08/04/2021, within 20 days from the receipt of this order, free of cost.

b) All others prayers are rejected.

Proceeding stands closed.

Pronounced in the open court.

Notify the parties.

Authenticated copies of the order should be given to the parties free of cost.

Aggrieved party if any, may move against this order by way of a Writ Petition, as no further appeal is provided against this order under the Right to Information Act, 2005.

Sd/-

**Sanjay N. Dhavalikar**

State Information Commissioner  
Goa State Information Commission  
Panaji - Goa

