

GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

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Appeal No. 171/2022/SCIC

Shri. Narayan Datta Naik,
H.No. 278/1 (3), Savorfond,
Sancoale-Goa 403710.

.....Appellant

V/S

Shri. Raghuvir D. Bagkar,
The Public Information Officer,
Village Panchayat of Sancoale,
P.O. Cortalim,
Mormugoa-Goa 403710.

.....Respondent

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 28/06/2022

Decided on: 12/12/2023

ORDER

1. The Appellant, Shri. Narayan Datta Naik, r/o. H.No. 278/1(3), Savorfond, Sancoale, Mormugao-Goa vide his application dated 10/03/2022 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), Office of the Village Panchayat Sancoale, Sancoale-Goa.
2. The said application was responded by the PIO on 10/05/2022 in the following manner:-

"With reference to your application under subject supply of information under section 6(1) to RTI Act, 2005 vide inward No. 5812 dated 10/03/2022 from point No. 1 to point No. 8 is very bulk in nature and require good amount of time.

Further you are kindly requested to arrange to visit to this office in morning session in next week during office hour for the inspection of documents in order to comply towards your RTI application."

3. Being aggrieved and not satisfied with the reply of the PIO, the Appellant filed first appeal before the Block Development Officer at Mormugao, Vasco-Da-Gama, Goa on 11/05/2022 being the First Appellate Authority (FAA).
4. The FAA vide its order dated 30/05/2022 allowed the first appeal and directed the PIO to provide the pointwise information to the Appellant within 10 days.
5. Since the PIO failed and neglected to comply with the order of the FAA, the Appellant landed before the Commission by this second appeal under Section 19(3) of the Act seeking various reliefs.
6. Notices were issued to the parties, pursuant to which, the Appellant appeared in person on 20/09/2022, the PIO Shri. Raghuvir Bagkar appeared and filed his reply on 17/10/2022.
7. In the course of hearing of 23/11/2022, the PIO appeared and submitted that, he is transferred from the Village Panchayat Sancoale, Mormugao-Goa and hence he is no more designated PIO. The Appellant, therefore, filed an application praying that incumbent PIO be directed to provide the information. The Commission, therefore, directed the incumbent PIO, Smt. Asha Mesta to appear in the matter.
8. Since both the parties remained absent throughout the hearing on 30/03/2023, 19/04/2023, 06/06/2023, 17/07/2023, 23/08/2023, 04/10/2023, 09/11/2023 and 12/12/2023, I find no reason to prolong the proceeding further, hence proceed to dispose the appeal on the basis of available records.
9. Having perused the records, it reveals that the information sought for is voluminous in nature. The Appellant seeking names of all the person/ Establishment / Companies/ Farms/ Educational institutes who are arrears due to public authority since 20/06/2020 inter alia other information. The Appellant has sought huge omnibus and

general kind of information, the supply of which would disproportionately divert the resources of the public authority.

10. Record reveals that, the PIO did not deny the information sought by the Appellant. However, requested the Appellant to first inspect the documents in order to comply with the RTI application, in such a circumstances nothing wrong on the part of the PIO to offer inspection of the records to drain the information.
11. In the background of the above facts, I find that there is no denial of information by the PIO. It is also the responsibility of the Appellant that while seeking information, it would not disproportionately divert the resources of the public authority.
12. The Hon'ble Supreme Court in the case **Institute of Chartered Accountant of India v/s Shaunak H. Satya & Ors. (C.A.No. 7571/2011)** has observed as under:-

"One of the object of democracy is to bring about transparency of information to contain corruption and bring about accountability. But achieving this object does not mean that other equally important public interests including efficient functioning of the governments and public authorities, optimum use of limited fiscal resources, preservation of confidentiality of sensitive information, etc. are to be ignored or sacrificed."

13. A lack of bonafide or uncertainty on the part of the Appellant is evident from the facts that he did not remain present for the hearings. In view of above, the matter is disposed off. Proceedings closed. Pronounced in the open court. Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner