GOA STATE INFORMATION COMMISSION
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Appeal No. 153/2022/SCIC

Mr. Bharat L. Candolkar,
R/o. Vady, Candolim,
Bardez-Goa. .....Appellant

V/S

1. The Public Information Officer,
Awal Karkun,
Office of the Mamltdar,
Mapusa, Bardez-Goa.

2. The First Appellate Authority,
Mamlatdar of Mapusa,
Mapusa, Bardez-Goa. .....Respondents

Shri. Vishwas R. Satarkar State Chief Information Commissioner

Filed on: 08/06/2022
Decided on: 09/11/2023

FACTS IN BRIEF

1. The Appellant Mr. Bharat L. Candolkar r/o. Vaddy, Candolim, Bardez-Goa vide his application dated 25/06/2021 filed under Section 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought information on 49 points from the Public Information Officer (PIO), Mamlatdar of Bardez, Mapusa, Bardez-Goa.

2. The said application was responded by the PIO on 01/07/2021 in the following manner:-

> *"With reference to your applications dated 25/06/2021, on the above cited subject, this is to inform you that information sought by you in the application related to personal information which cannot be divulge in view of section 8(1)(j) of the RTI Act 2005."*

3. Not satisfied with the reply of the PIO, the Appellant filed first appeal on 06/07/2021 before the Mamlatdar of Bardez, Mapusa-Goa, being the First Appellate Authority (FAA).

4. The FAA vide its order dated 22/03/2022 partly allowed the first appeal and directed the PIO to classify the information and provide the information which is not coming within the purview of personal information and compliance by 04/04/2022.

5. Since the PIO failed and neglected to comply with the order of the FAA dated 22/03/2022, the Appellant preferred this second appeal before the Commission under Section 19(3) of the Act, and prayed for various reliefs.

6. Notices were issued to the parties, pursuant to which, Appellant appeared alongwith Adv. A.P. Mandrekar, the PIO Shri. Rupesh Kerkar appeared and filed his replies on 18/08/2022, 21/09/2022, 19/10/2022 and 25/01/2023 and the matter was posted for arguments on 20/02/2023.

7. In the course of hearing on 20/02/2023, the PIO appeared and submitted that he is ready and willing to provide the information and he sought time to categorize the information which is required to be furnished. Adv. A.P. Mandrekar urged that the PIO may be directed to provide parawise information and the matter was posted for compliance.

8. During the course of hearing on 05/10/2023, the PIO Rupesh Kerkar appeared and filed his reply and furnished bunch of documents to the Appellant and submitted that except personal information he has furnished all the information to the Appellant. As the information furnished by the Appellant was voluminous in nature, Adv. Mandrekar sought time to scrutinise the documents and time was granted and matter was posted for clarification/ order on 09/11/2023.

9. In the course of hearing today i.e. on 09/11/2023, none appeared for Appellant, the PIO and the FAA.

10. Having gone through the RTI application filed by the Appellant dated 25/06/2021, the most of the information sought by the Appellant with regards to the Talathi, Shri. Damodar Verlekar attached to Village Panchayat Candolim, Bardez-Goa was personal in nature.

11. The object of the Act is to provide information to the information seeker which is under the control of public authorities in order to promote transparency and accountability in the working of every public authority. The intention of the legislation is to provide right to information to a citizen pertaining to the public affairs of public authority and not personal information of the officer.

12. Records reveals that, the PIO has complied the order of the FAA and furnished the information to the extent legally permissible by law to the Appellant on 05/10/2023. The Appellant received the information in the open court and sought time to scrutinise the documents furnished by the PIO, however, did not appear for subsequent hearing i.e. on 09/11/2023. I presume and hold that the Appellant is satisfied with the information provided by the PIO.

13. Considering the fact and circumstances, I find no malafide intention for non-furnishing the information by the PIO, hence, I am not inclined to grant any relief to the Appellant. Accordingly, the matter is disposed off. Proceeding closed.

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

Sd/-

(Vishwas R. Satarkar)
State Chief Information Commissioner