

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

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Appeal No. 279/2022/SCIC

Antonio Jose de Souza,
H.No. 1/133-A, Gauravaddo,
Calangute, Bardez-Goa, 403516.

-----Appellant

V/S

The Public Information Officer (PIO),
The Village Panchayat Secretary of Calangute,
Naicavaddo, Calangute,
Bardez-Goa, 403516.

-----Respondent

Shri. Vishwas Satarkar

State Chief Information Commissioner

Filed on: 31/10/2022

Decided on: 23/08/2023

ORDER

1. The Appellant, Antonio Jose de Souza r/o. H. No. 1/133-A, Gauravaddo, Calangute, Bardez-Goa vide his application dated 04/08/2022, filed under Section 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as Act), sought following information from the Public Information Officer, (PIO), the Secretary, Village Panchayat Calangute, Bardez-Goa:-

"a) A certified copy of the letter Ref. No. V.P.Cal/F-74/21-22/1027 dated 14/06/2022 issued by the Sarpanch of Calangute Mr. Shawn B.J. Martins to the Member Secretary, Goa State Pollution Control Board, Opp. Saligao Seminay, Bardez-Goa.

b) A certified copy of the complaint letter bearing Inward No. 9291 dated 06/01/2022 from Benedict Nazare & Associates, Advocates, Solicitors & Notary Public Office: 05/7/8, 4th Floor, Comunidade Ghor and Angod, Mapusa, Bardez-Goa - 403507 against Mr. Antonio Jose de Souza, Mr. Dexter D'Souza and Mrs. Leayana Gracias for illegal conduct of business and violation of Noise Pollution & Environment &

Protection and Rules made thereunder along with all supporting documents.”

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-II, Bardez, Mapusa-Goa, being the First Appellate Authority (FAA).
3. The FAA vide its order dated 03/10/2022 allowed the first appeal and directed the PIO to furnish the information within 7 days.
4. Since the PIO failed and neglected to comply with the order of the FAA dated 03/10/2022, the Appellant filed this second appeal before the Commission under Section 19(3) of the Act.
5. Notices were issued to the parties, pursuant to which the Appellant appeared in person on 15/12/2022, Adv. Swati Verlekar appeared on behalf of the PIO and submitted that she is ready and willing to furnish the information, therefore, the Commission directed the PIO to furnish the information on next date of hearing and matter was posted for compliance.
6. During the course of hearing on 06/04/2023, Adv. Swati Verlekar appeared and submitted that the PIO has already dispatched the information to the Appellant by Registered post on 14/12/2022 and the same was received by the Appellant on 15/12/2022 and to support her claim she produced on record the track consignment of postal authority confirming the delivery of Registered letter.

The Appellant admitted that he received the information from the PIO through registered post, however, pointed out that he did not receive the information at point No. (b) of his application. The Commission therefore directed Adv. Verlekar to furnish the information with regards to point No. ('b') on next date of hearing and matter was posted for compliance.

7. In the course of hearing on 18/07/2023, the incumbent PIO, Shri. Rajendra Gawas appeared alongwith Adv. S. Verlekar and furnished bunch of documents and submitted that he has furnished the information at point No. ('b') to the Appellant. However, the Appellant submitted that he is not satisfied with the said information, and the matter was posted for clarification/ order on 23/08/2023.
8. During the course of hearing on 23/08/2023, Adv. Swati Verlekar appeared and placed on record a certified copy of the complaint letter bearing inward no. 9291 dated 06/01/2022 from Benedict D. Nazare & Associates alongwith the copy to the other side and submitted that she has provided the information at point No. ('b') consisting of all 6 pages.
9. Since the Appellant did not participate in the further proceeding, the copy of the information furnished by the PIO is kept in the court file. The Appellant is hereby directed to collect the copy of the information from the office of the Commission within the period of 30 days from the date of receipt of the order.
10. Considering the facts that, all the available information has been furnished to the Appellant by the PIO, I hold that nothing survives in the appeal. However, parting with the matter, the Commission is of the view that the approach of the PIO appears to be casual and trivial in nature, therefore, I find it appropriate to warn the PIO Shri. Arjun S. Velip that he should deal with the RTI matters with due caution and sanctity. With the above observations the matter is disposed off. Proceeding closed.
 - Pronounced in the open court.
 - Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner,