

**GOA STATE INFORMATION COMMISSION**

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

**Appeal No. 264/2023/SIC**

Thomas L. Sequeira,  
R/o. 245, Premeiro Vaddo,  
Corjuem, Aldona,  
Bardez-Goa 403508.

-----Appellant

**v/s**

The Public Information Officer,  
The Secretary Village Panchayat Aldona,  
Aldona, Bardez-Goa.

-----Respondent

**Relevant dates emerging from appeal:**

RTI application filed on	: 27/03/2023
PIO replied on	: Nil
First appeal filed on	: 03/05/2023
First Appellate Authority order passed on	: 31/05/2023
Second appeal received on	: 25/07/2023
Decided on	: 22/12/2023

**ORDER**

1. The appellant under Section 6 (1) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') had sought from Respondent No. 1, Public Information Officer (PIO) certain information. Being aggrieved by non receipt of the information within the stipulated period, he filed first appeal before the First Appellate Authority (FAA). The said appeal was disposed by the FAA with direction to the PIO to provide inspection of relevant documents and furnish the information requested by the appellant.
2. It is the contention of the appellant that, the direction issued by the FAA was not complied by the PIO, hence, he was compelled to prefer second appeal, in order to get complete information.
3. The concerned parties were notified, pursuant to which, appellant appeared in person and filed submission dated 16/11/2023. Respondent PIO was represented by Advocate Velinda Fernandes, Advocate Mark Valadares and Advocate Seema Rivankar, reply dated 26/09/2023 was filed on behalf of the PIO. Smt. Navanya Goltekar, PIO appeared in person on 20/12/2023, however filed no submission.
4. PIO, vide reply dated 26/09/2023 stated that, she had provided the desired information to the appellant on 26/04/2023. However,

appellant inspite of receiving the information filed first appeal. That, the appellant could have approached the PIO if he had any grievance with respect to the information provided.

5. PIO further contended that, even after receiving the desired information, appellant has approached the Commission with distorted and false averments. That, the appellant is only attempting to portray the PIO in bad light for reasons best known to him.
6. Appellant submitted that, the PIO has not provided any information within the stipulated period and also after the direction by the FAA, nor has communicated anything in the instant matter, till date. The averments made in the reply dated 26/09/2023 are false, perverse and mischievous and is an attempt to build a false narrative with distorted facts.
7. Appellant further argued that, with respect to the contention of the PIO regarding furnishing of information vide letter dated 26/04/2023, he has received no such letter and no information from the PIO. That non furnishing of the information by the PIO has compelled him to file second appeal before the Commission.
8. Upon perusal of the records of the present matter, it is seen that, the application of the appellant was not replied by the PIO within the stipulated period of 30 days. No reply amounts to deemed denial of the request as per Section 7 (2) of the Act. Although, the PIO contends that she had provided the information, the PIO has produced no document on record including her letter dated 26/04/2023, to substantiate her contention. Thus, the Commission finds that the appellant was compelled to file first appeal in view of the deemed denial of his request.
9. Further, it is seen from the records that the PIO was directed by the FAA vide order dated 31/05/2023 to furnish the information sought by the appellant, within 10 days. In compliance, PIO issued letter dated 16/06/2023 to the appellant and furnished some information. However, appellant contends that the said information is illegible, incomplete and misleading and that he desires correct and complete information.
10. It is seen that, the appellant has not made any false averments against the PIO, rather, he waited first till the expiry of the stipulated period, then upon the disposal of the first appeal, he again waited for more than a month to allow the PIO to furnish him complete

information. Yet, the PIO furnished incomplete information and did not bother to substantiate her contentions before the Commission.

11. The Commission finds that, the appellant had sought information on three points and though the PIO furnished some information vide letter dated 16/06/2023, the said information appears to be incomplete. PIO has furnished information on point no. 1 and 3 and is required to furnish remaining information on point no. 2. Thus, appropriate directions need to be issued to the PIO, in the present matter.
12. In the light of discussion and in the background of the findings of the Commission, the present appeal is disposed with the following order:-
  - a) The PIO is directed to furnish information on point no. 2 sought by the appellant vide application dated 27/03/2023, within 10 days from receipt of this order, free of cost.
  - b) All other prayers are rejected.

Proceeding of the present appeal 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.