

GOA STATE INFORMATION COMMISSION

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Appeal No. 103/2023/SCIC

Shri. Santana Piedade Afonso,
H. No. 263, Comba-Central,
Cuncolim, Salcete, Goa 403703

.....Appellant

V/s

1. Shri. Raju Rogunath Dessai/The Public Information Officer (PIO),
Administrator of Comunidades, South Zone,
O/o. the Administrator of Comunidade, South Zone,
1st Floor, Old Collectorate Building, Margao, Goa

2. Shri. Srineth Kothwale,
The First Appellate Authority/Additional Collector-I (Rev),
O/o. the Additional Collector-II (Rev),
4th floor, Mathany Saldhana Administrative Complex,
Margao-Goa

...Respondents

Shri. Vishwas Satarkar, State Chief Information Commissioner

Filed on: 17/03/2023

Decided on: 16/02/2024

ORDER

1. The Appellant, Shri. Santana Piedade Afonso, r/o. House No. 263, Comba Central, Cuncolim, Salcete Goa, vide his application dated 12/07/2022, 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 Administrator of Comunidades, Margao, Goa.

2. The said application was responded to by the APIO on 20/07/2022 informing the Appellant that he had directed the Clerk/Escrivao of Comunidade of Colva, Gandaulim, Vanelim, Sernabatim, Cana and Benaulim and also from Clerk/Escrivao of Comunidade of Chinchinim to provide the information.
3. Not satisfied and being aggrieved with the reply of the APIO, the Appellant preferred first appeal before the Additional Collector-I, South Goa District, Margao Goa on 19/08/2022, being the First Appellate Authority (FAA).
4. The FAA, vide its order dated 29/08/2022, allowed the first appeal and directed the PIO to provide the inspection of records and furnish the requisite information free of cost to the Appellant.
5. Since the PIO failed and neglected to comply with the order of the FAA dated 29/08/2022, the Appellant filed this second appeal before the Commission under Section 19(3) of the Act, with the prayer to direct the PIO to furnish the information and to impose penalty on the PIO for denying the information.
6. Notices were issued to the parties, pursuant to which, the Appellant appeared in person on 02/05/2023, the representative of the PIO Shri. Nilesh Desai appeared and placed on record the reply of the PIO on 22/06/2023 and submitted that information sought by the Appellant is voluminous and bulky and that he offered inspection of the record to drain the information.

7. In the course of the hearing, on 26/07/2023, the representative of the PIO appeared and filed a letter furnishing the details of calculations of the fees, and submitted that he is ready and willing to furnish the information subject to the payment of expenses of photocopying which is amounted to Rs. 1614/- (807 pages x Rs. 2). The Commission, therefore, directed the Appellant to deposit the fee and obtain the information and matter was fixed for clarification.
8. In the course of the hearing, the Appellant appeared and pointed out that he is entitled to free of cost information as contemplated under Section 7(6) of the Act. He also submitted that the FAA, by its order dated 29/08/2022, directed the PIO to provide the information free of cost. In order to resolve the issue, the Commission directed the PIO to appear in person on next date of hearing.
9. The incumbent PIO, Shri. Pradip Naik appeared on 10/10/2023 and submitted that the information sought by the Appellant is voluminous and will run for a thousand pages. Considering the above facts, the Appellant restricted his claim and insisted for three books of Comunidade of Colva, one book of Comunidade of Benaulim and one book of Comunidade of Chinchinim.
10. On the next date of the hearing on 21/12/2023, the representative of the PIO Shri. Nilesh Desai appeared and furnished the agreed information viz (i) Copies of three books of Comunidade of Colva. (ii) Copies of one book of Comunidade of Benaulim.

11. Since no information was provided with regards to the Comunidade of Chinchinim, direction was issued to the PIO to provide said information on next date of hearing and the matter was posted for compliance on 01/02/2024.
12. In the course of hearing on 01/02/2024, the representative of the Comunidade of Chinchinim Shri. Amar Prabhudesai appeared and produced on record a bunch of documents and submitted that he has placed on record the purported information with regards to Comunidade of Chinchinim, Salcete Goa. Since none appeared for the hearing on behalf of the Appellant on 01/02/2024, opportunity was granted to the Appellant and matter was posted for clarification on 16/02/2024.
13. However, the Appellant did not appear for the hearing on 16/02/2024. The Clerk/Escrivao of the Comunidade of Chinchinim Shri. Amar Prabhudesai appeared and submitted that, all the available information has been provided to the Appellant, free of cost and same is lying in the court file. Hence, I find no reason to prolong the matter and hence the appeal is disposed of, granting a liberty to the Appellant to collect the information from the office of the Commission within thirty days from the date of receipt of the order.
- Proceeding closed.
 - Pronounced in the open court.
 - Notify the parties.

Sd/-
(Vishwas R. Satarkar)
State Chief Information Commissioner