

GOA STATE INFORMATION COMMISSION

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Appeal No. 259/2022/SCIC

Shri. Narayan Datta Naik,
H. No. 278/1 (3),
Savorfond, Sancoale,
Pin Code : 403710

.....Appellant

V/s

Shri. Raghuvir D. Bagkar,
Public Information Officer (PIO),
Village Panchayat Sancoale, 403710

..... Respondent

Shri. Vishwas Satarkar, State Chief Information Commissioner

Filed on: 06/10/2022

Decided on: 18/01/2024

ORDER

1. Appellant, Shri. Narayan Datta Naik, R/o. House No. 278/1 (3), Savorfond, Sancoale, Mormugao, Goa, vide his application dated 03/06/2022 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), Village Panchayat Sancoale, Mormugao, Goa.
2. Said application was responded by the PIO on 06/07/2022, in the following manner:-

"With reference to above and as desired by you, please find below information sought by you point-wise:-

1. As per point No. 1:-
required time in order to search particular documents, as some

	<i>of the panchayat records are still in old panchayat.</i>
<i>2. As per point No. 2:-</i>	<i>Copy Enclosed.</i>
<i>3. As per point No. 3:-</i>	<i>Copy Enclosed.</i>
<i>4. As per point No. 4:-</i>	<i>Copy Enclosed</i>
<i>5. As per point No. 5:-</i>	<i>dumps and segregated at the source</i>
<i>6. As per point No. 6:-</i>	<i>Yes</i>
<i>7. As per point No. 7:-</i>	<i>Yes</i>
<i>8. As per point No. 8:-</i>	<i>approximately 2 tonn acre per day</i>
<i>9. As per point No. 9:-</i>	<i>Dry waste collection per day 2000 Kg, bailing per day 1400 kg.</i>
<i>10. As per point No. 10:-</i>	<i>Copies enclosed.</i>
<i>12. As per point No. 12:-</i>	<i>Copies enclosed.</i>
<i>13. As per point No. 13:-</i>	<i>this Panchayat has not done payment on Master Roll.</i>
<i>14. As per point No. 14:-</i>	<i>No.</i>
<i>15. As per point No. 15:-</i>	<i>No.</i>
<i>16. As per point No. 16:-</i>	<i>No."</i>

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 21/07/2022, being the First Appellate Authority (FAA).

4. The FAA, by its order dated 13/09/2022, allowed the first appeal and directed the PIO to furnish pointwise information to the Appellant within 10 days.
5. Since the PIO failed and neglected to comply with the order of the FAA dated 13/09/2022, the Appellant preferred this second appeal before the Commission under Section 19(3) of the Act.
6. Notices were issued to the parties, pursuant to which, the Appellant appeared in person on 07/11/2022, the PIO Shri. Raghuvir Bagkar appeared and submitted that he has furnished all the available information to the Appellant on 06/07/2022. However, the Appellant submitted that though the PIO furnished him the information, he is not satisfied with the information. The Commission, therefore, directed the PIO to file reply and/or furnish the rest of the information to the Appellant on next date of hearing and matter was fixed for compliance.
7. On the next date of hearing i. e. on 08/12/2022, the PIO appeared alongwith Adv. Kapil Kerkar, who filed his wakatnama and sought time to file his reply in the matter.
8. In the course of hearing on 10/02/2023, Adv. Kapil Kerkar appeared alongwith the PIO and submitted that, the PIO Shri. Raghuvir Bagkar is transferred from Village Panchayat Sancoale, Mormugao, Goa and hence, he is no more designated PIO of Village Panchayat Sancoale and requested the Appellant to seek the further clarification from the incumbent PIO.
9. The Appellant, thereafter, filed an application praying that incumbent PIO be directed to provide the information. The

Commission, therefore, directed the new PIO Smt. Asha Mesta to appear in the matter.

10. Since both parties remained absent throughout the succeeding hearings viz 25/04/2023, 14/06/2023, 24/07/2023, 28/08/2023, 06/10/2023, 15/11/2023 and 18/01/2024, I find no reason to prolong the proceeding further. Hence, I proceed further to dispose the matter on the basis of available material on records.

11. Having perused the records, prima facie, I am of the view that the information sought for is voluminous in nature. Record also reveals that, the PIO did not deny the information, but provided all information except the information at point No. 1 of the RTI application. Moreover, the PIO sought time to furnish the information at Point No. 1. It is nothing wrong on the part of the PIO for seeking time to furnish the information, if the information is voluminous in nature, besides it appears from the records that the information at point No. 1 is not generated in the office of public authority.

12. In the background of the aforesaid, I find no merit in the second appeal as it lacks bonafide attitude of the Appellant. In view of the above, the matter is disposed off.

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

Sd/-

(Vishwas R. Satarkar)
State Chief Information Commissioner