

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

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**Appeal No. 179/2024/SCIC**

Shri. Dinesh D'Souza,  
H. No. 227, Borla,  
Macasana, Salcete-Goa,  
403709.

.....Appellant

V/S

1.The Secretary/PIO,  
Village Panchayat of Macasana,  
Macasana, Salcete-Goa 403709.

3.The FAA,  
The Block Development Officer-II, Salcete,  
Mathany Saldhanha Complex,  
Margao, salcete-Goa 403601.

.....Respondents

**Shri. Aravind Kumar H. Nair** State Chief Information Commissioner



**Filed on: 27/08/2024**

**Decided on: 21/01/2025**

**FACTS IN BRIEF**

1. Mr. Dinesh D'Souza filed an RTI application dated 27/12/2023 to the PIO, Village Panchayat Macasana seeking information like copy of the Action Taken Report on his letter dated 20-11-2023 having Macasana Panchayat inward No. 335 and information to 7 other points.
2. In response to the RTI application, PIO (Secretary, V.P. Macasana) vide letter dated 27/01/2024 replied to all points supported by copies of the documents sought by the Appellant, except to Point No. 4 for which PIO replied that *"The same is not available in Panchayat record."*
3. Appellant then filed first appeal dated 29/02/2024 to the First Appellate Authority (Block Development Officer-II, Salcete-Goa) stating that no copy of the Action Taken Report was issued to him

eventhough PIO's reply stated that copy is enclosed (with regards to point No. 1) and the reply to Point No. 2 is "*information not available in the Panchayat records*" which is totally wrong.

4. Appellant prayed to the FAA for issuing direction to the Respondent PIO to furnish information free of cost and to impose penalty against the PIO for not furnishing information.
5. The FAA after hearing the matter directed the Respondent PIO vide Order dated 10/04/2024 to furnish available information in Panchayat records with regards to Point No. 1 & 4 as sought by the Appellant in RTI application dated 27/12/2023 within 15 days, free of cost.
6. Failing to receive sought information from the Respondent PIO despite FAA's order directing to furnish information with regards to Point No. 1 & 4 of the RTI application, Appellant preferred second appeal dated 27/08/2024 before the Commission praying for direction to the Respondent PIO to furnish information requested for, impose penalty on PIO for providing incomplete information and recommend disciplinary action against the Respondent PIO for not keeping Panchayat documents in order.
7. Pursuant to the Second appeal, parties were notified. This Commission took a serious note on then Secretary cum PIO, Shri. Shankar Naik's refusal to sign on the received copy.
8. When the matter was taken up for hearing before the SCIC today i.e. 21/01/2025, present PIO (Ms. Roquizeinha Fernandes, Secretary, V.P. Macasana) and Adv. Pravin U. Naik, authorised person of the Appellant appeared. Respondent No. 2 filed reply to the appeal.



9. During the hearing, present PIO cum Secretary, Village Panchayat, Macasana has expressed her willingness to look for the information sought for by the Appellant from the Panchayat records and to furnish the same to the Appellant. On an earlier matter also, the same PIO was noticed for showing quite positive approach towards the information seekers.

### **DECISION**

Considering the present PIO's submission that, she will provide the information sought for by the Appellant (with regards to point No. 1 & 4 of his RTI application dated 27/12/2023) from the records available in the records of Village Panchayat Macasana, Commission today i.e. 21/01/2025 disposed off the Appeal No. 179/2024/SCIC in its first hearing with the direction to the Respondent PIO to furnish the information sought for by the Appellant at Point No. 1 & 4 of the RTI application within 10 days of the receipt of this order.

Commission also directed Shri. Shankar Naik, then PIO cum Secretary, Village Panchayat Macasana, who is presently posted at BDO Office, Salcete, Margao, to submit an explanation by February 28, 2025 why he refused to sign on the notice served by the Registry of the Hon'ble State Information Commission informing the date & time of the hearing in the second appeal filed by Shri. Dinesh D'Souza.

- Proceeding in this matter stands closed.
- Pronounced in open court.
- Notify the parties.

Authenticated Copy

Under Secretary cum Registrar  
Goa State Information Commission  
Panaji - Goa

(Aravind Kumar H. Nair)

State Chief Information Commissioner