

GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa
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Appeal No. 94/2025/SIC

Shri. Anish S. Bacal,
619, Building No. 8,
Kamat Royale,
Caranzalem, Tiswadi-Goa,
403002.

..... Appellant

V/s

1.The Public Information Officer,
Directorate of Panchayats,
5th Floor, Mylesh High Corporate Hub,
Patto, Panaji-Goa.

2.The First Appellate Authority,
Directorate of Panchayats,
5th Floor, Mylesh High Corporate Hub,
Patto, Panaji-Goa.

.....Respondents

Shri. Atmaram R. Barve

State Information Commissioner

Filed on: 14/05/2025
Disposed on: 14/08/2025

ORDER

1. The present second appeal arises out of the Right to Information (RTI) application dated 02/12/2024 made by the Appellant, Shri. Anish S. Bacal and addressed to the Public Information Officer (PIO) at Directorate of Panchayats, Government of Goa.
2. Vide reply dated 31/12/2024, the PIO, Smt. Neha Bandekar informed the Appellant herein that the information sought is not existing in collated form and would disproportionately divert the resources of the Public Authority which would paralyse smooth functioning of the Directorate of Panchayats.

3. Aggrieved by this reply, the Appellant herein preferred first appeal before the competent authority vide appeal memo dated 27/01/2025.
4. Thereafter, the PIO issued another letter dated 13/02/2025 in continuation to her letter dated 31/12/2024 informing the Appellant herein that information sought by him is scattered with various other PIOs and requested him to approach the concerned PIO for obtaining desired information.
5. Thereafter vide Order dated 03/03/2025, the First Appellate Authority (FAA) dismissed the first appeal filed by the Appellant herein upholding the stand taken by the PIO.
6. Aggrieved by the Order of the FAA, the Appellant herein preferred present second appeal before this Commission vide appeal memo dated 14/05/2025.
7. Notices were issued and matter came up to be heard from 08/07/2025 onwards.
8. Upon perusal of appeal memo as well as the other material on record, this Commission is of considered opinion as under:
 - a. It is noteworthy that prima facie the RTI application made by the Appellant herein appears to be lengthy in nature.
 - b. However, the PIO appears to have perused the said RTI application superficially and appears to have responded under the same preconceived notion which is evident from the fact that the PIO resorted piecemeal exercise of issuing two responses; one within stipulated time period of 30 days and the second 45 days after issuance of first reply.

- c. The PIO ought to have provided a pointwise reply to the information seeker about which part of the RTI application deals with subject matter relating to Directorate of Panchayats and which part relates to other public authority.
- d. The PIO has failed to elaborate as to which part of the information pertains to her department is not present with her in collated form as it is difficult to believe that incendiary information sought by information seeker is not present with the PIO.
- e. Whenever, information is furnished to seeker within stipulated time period, the PIO has to also ask the information seeker to pay necessary fee towards obtaining the necessary information. Hence resorting to Section 7(9) of the RTI Act in a blanket manner is not an appropriate procedure and would set wrong precedent that would be detrimental to the right of information seeker in ordinary course.
- f. Although, it is a fact that responding to lengthy RTI application involving bulky information can be time consuming exercise for the PIO. However, the PIO's cannot escape their duties by summarily rejecting such applications and not even making an effort to provide such information to information seeker.
- g. In the instant manner, the PIO appears to have not made an effort to transfer the Appellant's RTI application to any other public authority under Section 6(3) of the RTI Act.

- h. The FAA has also erred on this very aspect as the same should have been considered while deciding the first appeal.
9. Therefore, in light of above, the present second appeal is disposed off with the following order:-
- a. The present second appeal is upheld and Order of the FAA stands rejected.
 - b. The PIO, Smt. Neha Bandekar is hereby directed to reaccess the RTI application dated 02/12/2024 filed by the Appellant herein, Shri. Anish S. Bacal and provide a pointwise reply and also transfer the relevant portions of the said application to concerned other public authorities which may be in possession of such information.
 - c. The PIO is further directed to provide inspection of any relevant documents if need be to the Appellant and record proper minutes of proceeding to such inspection.
 - d. The PIO is directed to conclude action pertaining to point b and c above on or before 26/09/2025 and submit compliance report on 30/09/2025.
 - e. Registry to issue show cause notice to the PIO, Smt. Neha Bandekar seeking response as to why action should not be initiated against her in terms of Section 20(1) of the RTI Act for non-compliance of the directions of this Commission and the said PIO shall remain present in person with reply to show cause notice alongwith compliance report to the above mentioned directions on **30/09/2025 at 11.00 am**; failing which necessary disciplinary action and penalty proceeding shall be initiated accordingly.

10. Pronounced in open on this day 14th day of August, 2025.

- No order as to cost.
- Parties to be provided authenticated copies of the order.
- 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/-

(ATMARAM R. BARVE)

State Information Commissioner