

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

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Complaint No. 47/2023/SCIC

Shri. Ronni Oliveira,
H. No. 194/1,
Novimoddi, Tolamal,
Quepem-Goa.
V/s

-----Complainant

1.The Public Information Officer,
Secretary, Village Panchayat, Xeldem,
Quepem-Goa 403705.

2.The First Appellate Authority,
Block Development Officer,
Quepem Taluka,
Quepem-Goa 403705.

-----Opponents

Shri. ARAVIND KUMAR H. NAIR -State Chief Information Commissioner, GSIC

RELEVANT FACTS OF THE Complaint

RTI application filed on	- 17-05-2023
Respondent PIO reply	- Nil
First Appeal filed on	- 07-07-2023
First Appellate order on	- 17-08-2023
Complaint received on	- 31-10-2023
Decision on the Complaint on	- 04-03-2025

Information sought and background of the Complaint

- Shri Ronni Oliveira filed an RTI application dated 17/05/2023 to the PIO, Village Panchayat, Xeldem, Quepem Taluka, seeking following information:
 - Certified copy of the detailed information of Token No/House No/EHN No. and Trade License from 1st April 2023 onwards to till date.*
 - Certified copy of Audit report from 2020 to 2023.*
 - Certified copy of the RDA report of the Village Panchayat ground Xeldem, Quepem Goa.*

2. Failing to receive any response/information from the PIO, Complainant filed first appeal dated 07/07/2023 stating that he is aggrieved by the Opponent PIO refusing to furnish information and prayed for issuing direction to the Opponent to furnish information vide RTI application.
3. The First Appellate Authority (B.D.O Quepem Taluka, South Goa) vide order dated 17/08/2023 directed the Opponent PIO to furnish information sought by the Complainant, free of cost, within 7 days. Order further directed the Opponent PIO to follow the provision of RTI Act 2005 and time limit contained therein.
4. Aggrieved by the Opponent PIO's failure to furnish information inspite of the FAA passed an order dated 17/08/2023 directing the PIO to furnish information within 7 days, Complainant Shri Ronni Oliveira preferred complaint dated 31/10/2023 before the Commission praying for direction to the Opponent PIO to furnish information as per RTI application and impose penalty for irresponsible behaviour.

FACTS EMERGING IN COURSE OF HEARING

5. Pursuant to the Complaint, parties were notified fixing the matter for hearing on 18/12/2023 for which Mrs. Lourencinha Correia appeared on behalf of the Complainant and Opponent PIO Shri. Ravindra Wadekar appeared in person and submitted that he is willing to furnish information. In the subsequent hearing, Complainant Ronni Oliveira appeared in person and Adv. A.G. Dessai who appeared on behalf of Opponent PIO, submitted that Opponent PIO is ready and willing to furnish information.
6. During the hearing on 22/02/2024 also, PIO Ravindra Wadekar reiterated that he is ready and willing to give all the information.
7. Matter was not heard during March 2024- September 2024 as posts of SCIC and SIC remained vacant during that period.
8. The matter was taken up for hearing before the SCIC on 07/10/2024 for which both Complainant and Opponent were absent. Served notice on the parties for their physical presence on the date of next hearing.

9. During the hearing on 18/11/2024, Opponent PIO Shri.Palash V. Bhembre submitted that he has joined Secretary, Xeldem Village Panchayat in May 2024 only and the previous Secretary has retired in April 2024 on superannuation. He submitted before the SCIC that he will furnish the information, if available in the records of Xeldem Panchayat.
10. In the subsequent three hearings also, Opponent PIO remained absent and the Complainant appeared once. Commission fixed the matter for final hearing on 04/03/2025 but both the Complainant and Opponent PIO did not turn up, inspite of sending notice.

DECISION

1. Commission decided today i.e. 04/03/2025 to dispose the matter with the direction to Opponent PIO to comply with the order dated 17/08/2023 passed by the First Appellate Authority (BDO, Quepem) within 15 days from the receipt of this order.

FAA's order is as under "The Respondent PIO is hereby directed to furnish the information asked by the appellant free of cost within 7 days. The PIO is further directed to follow the provision of RTI Act, 2005 and time limits contained therein".

2. Taking serious note on the failure of the present Opponent PIO Shri. Palash V. Bhembre to appear for the last four consecutive hearings, Commission directed the present PIO to file an explanation for failing to attend the hearing on four consecutive occasions inspite of serving notice for presence in the hearing within 15 days on the receipt of this Order. This casual and negligent attitude of the PIO is tantamount to showing disrespect and disregard to the RTI Act 2005 and the State Information Commission.
 - Proceeding in the present Complaint stands closed.
 - Notify the parties.

Sd/-

(ARAVIND KUMAR H. NAIR)
State Chief Information Commissioner, GSIC

