

**GOA STATE INFORMATION COMMISSION**  
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa  
Tel No. 0832-2437880/2437208 email: [spio-gsic.goa@nic.in](mailto:spio-gsic.goa@nic.in)  
website: [www.gsic.goa.gov.in](http://www.gsic.goa.gov.in)

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**Complaint No. 34/2024/SIC**

Adv. Vaman Ganesh Kurtikar,  
Office in Shop No. F-32,  
1<sup>st</sup> Floor, Ponda Commerce Centre,  
Near IDBI Bank,  
Tisk, Ponda-Goa 403401.

.....Complainant

V/S

1. The Public Information Officer,  
The Block Development Officer,  
Ponda Taluka, Government Building,  
Tisk, Ponda-Goa.

2. The First Appellate Authority,  
The Deputy Director of Panchayats,  
Mathany Saldhana Administrative Complex,  
Room No. 228, 2<sup>nd</sup> Floor,  
South Goa, Margao.

.....Opponents

**Shri. Atmaram R. Barve**

State Information Commissioner

**Filed on: 11/11/2024**

**Decided on: 22/05/2025**

**ORDER**

1. The present Complaint arises out of the Right to Information (RTI) application dated 01/08/2024 made by Adv. Vaman G. Kurtikar, Complainant herein and addressed to the Dy. Director of Panchayats, South Goa wherein the Complainant had sought information pertaining to the office of Block Development Office at Ponda Taluka.
2. Vide communication dated 07/08/2024, the above mentioned RTI application was transferred to the Public Information Officer (PIO)/ Block Development Officer (BDO) at Ponda under Section 6(3) of the RTI Act.

3. Vide communication dated 14/08/2024, the said PIO/BDO, Shri. Ashwin Dessai retransferred the said RTI application to the Dy. Director of Panchayats, South Goa pertaining to point No. 9 of the said application.
4. Vide communication dated 29/08/2024, the PIO/BDO, Shri. Ashwin Dessai wrote to Complainant herein inviting him to visit his office on 03/09/2024 for the purpose of physical inspection of the records sought by him.
5. Thereafter, the Complainant herein preferred First Appeal before the appropriate authority on 23/09/2024.
6. Vide Order dated 21/10/2024, the First Appellate Authority (FAA) directed the PIO/BDO to furnish pointwise information with regards to point nos. 1,2,3,4,5,7,8,10,11,13,14 and 15 of the RTI application within 10 days from the receipt of such order.
7. Thereafter, upon receipt of Order of the FAA, the PIO/BDO issued communication dated 28/10/2024 addressed to the Complainant herein inviting him to collect the pointwise information and informed him about the number of pages/ documents to be issued.
8. Thereafter, vide communication dated 11/11/2024, the Complainant herein sought the intervention of this Commission by way of prayers seeking compensation for non-receipt of the information and also seeking disciplinary action against the PIO/BDO for non-compliance of the directions of the FAA.
9. Notices were issued on 04/04/2025 and matter came up for hearing from 28/04/2025 onwards.

10. The matter was extensively argued by both the parties.

11. Upon perusal of complaint memo, written submission of PIO/BDO and oral arguments advanced by the Advocate for Complainant, this Commission is of the considered opinion as under:-

- a) The stipulated time period for responding to RTI application for PIO/BDO in the instant matter starts from the day when said application was transferred to him from the office of Dy. Director of Panchayats, South Goa.
- b) There is a clear error on the part of the PIO/BDO in so far as issuance of communication dated 29/08/2024 not through means of Registered AD is concerned.
- c) The PIO's ought to be aware of the fact that they are responsible entrusted under RTI Act and shall at all-time ensure that communication issued are through reliable mode and within stipulated time.
- d) There is no material on record to suggest whether the Complainant herein responded to the communication dated 29/08/2024 and inspected the concerned documents or not.
- e) The PIO/BDO appears to have done a course correction by way of issuing Registered AD inviting the Complainant herein to collect the desired information interms of directions issued by the FAA.
- f) During the course of arguments, the advocate for Complainant admitted that the Complainant/ Advocate did not conduct any such inspection of documents and

also did not collect the information which was made available to them by the PIO/ BDO.

g) It is the argument of advocate for Complainant that, the said documents which was sought to be furnished by the PIO/ BDO were not signed or certified by the issuing authority. However, in the light of admitted fact neither the Complainant/ Advocate undertook inspection of said documents or accepted / acknowledged/ received such information. There are no grounds to establish the fact or ascertain that, the information sought to be furnished is incomplete or not.

h) In a scenario like this, wherein the opinion of information seeker is not backed by solid fundamental and reliable arguments, it would be inappropriate to pin the burden solely on PIO and it equally the duty of information seeker to receive the information furnished and thereafter point out to appropriate forum or the Appellate Authority establish under RTI Act, 2005 that, information so furnished is either incomplete or uncertified whatever the case may be.

12. Therefore, in light of above this Commission has come to the conclusion that the contention raised in complaint lacked merit due to the simple fact that there has been no attempt to either inspect documents or collect the information sought to be furnished by concerned PIO. Therefore, **the present complaint is disallowed. No order as to cost.**

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

- 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