

GOA STATE INFORMATION COMMISSION
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Appeal No. 158/2024/SIC

Shri. Ulhas R. Mainikar,
r/o. H.No. 170/3, Pethwada,
Kudnem, Bicholim-Goa.

.....Appellant

V/S

1. The Public Information officer,
Village Panchayat Secretary of Cudnem,
Cudnem, Bicholim-Goa.

2. FAA/ Shri. Omkar N. Manjrekar,
The Block Development Officer,
Bicholim-Goa.

.....Respondents

Shri. Atmaram R. Barve

State Information Commissioner

Filed on: 29/07/2024

Decided on: 19/03/2025

Detailed Order passed on: 20/02/2026

ORDER

1. The present second appeal arises out of the Right to Information (RTI) application dated 28/03/2024 made by the Appellant, Shri. Ulhas R. Mainikar and addressed to the PIO at Village Panchayat Cudnem, Bicholim-Goa.
2. The PIO vide reply dated 24/04/2024 within stipulated time period informed the Appellant to collect the information on payment of fee of Rs. 12/- as per his RTI application.
3. The Appellant visited the office of village panchayat to collect the said information, but upon the visit the staff of the panchayat informed him to pay the amount of Rs. 2750/- which was miscalculated in the original reply of the PIO.

Aggrieved by this, the Appellant herein preferred first appeal dated 16/05/2024 before the First Appellate Authority (FAA).

4. Vide order dated 28/06/2024, the FAA dismissed the first appeal and directed the Respondent to give information within 5 days upon the payment of Rs. 2750/- as calculated by the PIO for the requisite information and also cautioned the PIO henceforth for disposing the RTI applications within the mandate of law avoiding any errors in calculating the additional fees to be paid so that no hardship is faced by the applicant.
5. Aggrieved by this order, the Appellant herein preferred second appeal before this Commission vide appeal memo dated 29/07/2024.
6. Notices were issued and matter came up to be heard from 06/01/2025 onwards.
7. Both the parties filed their respective replies and rejoinders and also argued the matter.
8. The Appellant contended that, as per the reply dated 24/04/2024 filed by the PIO to his RTI application had requested to pay Rs. 12/- towards the information. But when he personally visited the office of the PIO, he was orally asked to pay Rs. 2750/- instead of Rs. 12/- which was erred while typing. And upon not paying the amount, he was denied the information.
9. During the hearing before this Commission on 06/01/2025, the PIO filed reply dated 03/05/2024 which is not in connection with the original RTI application dated 28/03/2024 filed by the Appellant. From this it can be concluded that the

PIO intentionally diverting the facts of the RTI application which has resulted in denial of the information to the applicant.

10. The Appellant contended that the reply filed by the PIO dated 03/05/2024 is false, misleading and misleading.
11. During hearing on 06/02/2025 before the Commission, the PIO filed reply stating that he has complied with the order of the FAA vide letter dated 01/07/2024 requesting the Appellant to collect the information from the village Panchayat office.
12. Upon perusal of the appeal memo, reply and rejoinder filed by both the parties this Commission is of considered opinion as under:-
 - a. The conduct of the PIO, in present instance appears to be against the letter and spirit of the RTI Act.
 - b. The said PIO has grossly failed to discharge his duty by way of filing false, misleading and misleading reply before this Commission, thereby wasting the precious time of the Commission and the Appellant too.
 - c. On 19/03/2025, the PIO contends that she was on medical leave and Shri. Amar Tirodkar was the relevant PIO at the time of this matter. But she has failed to place on record the documentary evidence regarding the medical leave. Hence both the PIO's are jointly responsible.
 - d. The Appellants contends that, he was initially asked to pay Rs. 12/- for the said information and was subsequently orally asked to pay Rs. 2750/- but eventually the information was denied.

13. Consequently, the present second appeal is disposed off with following order:-

- a. The present appeal is hereby allowed.
 - b. The present PIO is directed to furnish the desired information/ documents free of cost to the Appellant within 10 days from the date of receipt of this order and file compliance report to this Commission.
 - a. Registry to issue show cause notice to the then and present PIO's as to why no action should be initiated against them under Section 20(1) against their lethargic attitude. Reply and compliance to be done on **17/03/2026 at 11.00 am** by remaining present in person before this Commission.
- 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

