



furnished is false and misleading and has been furnished only to harass the appellant. In short it is the case of the appellant that the information furnished is totally false and misleading and that the opponent has acted fraudulently in furnishing the information to the complainant and hence the present complaint.

3. The opponent resists the complaint and the reply of the opponent is on record. It is the case of the opponent that he is the P.I.O. cum Village Panchayat Secretary holding charge of V.P. Oxel of Bardez taluka of District North Goa. That the opponent on receiving the application dated 21/9/2010 of the complainant searched the relevant records as sought in the application and thereafter sent intimation letter requesting the complainant to collect required information vide letter dated 11/10/2010. That the information sought by the complainant was furnished vide letter dated 14/10/2010 that there was no delay in furnishing required information, though the information sought required searching of old records pertaining to the order 1989 etc. That the opponent has thoroughly searched all the available records before furnishing reply to the complainants.

That all the available information has been furnished. That neither original of his copy of construction plan nor construction license/permission in the name of Ramnath Raghunath Harmalkar was found in the records of the office. That the complainant was accordingly informed that in addition to this complainant was also informed regarding contents of resolution No.3(2) recorded at page No.176 of minutes book for the year 1989 in connection with the application of Mr. Avinash R. Harmalkar regarding compound wall at Oxel Bhati. In short, it is the case of the opponent that the required information was furnished to the complainant within the statutory period and that the opponent did not refuse to provide required information. That the correct information has been furnished to the complainant.

4. It is seen from record that initially complainant and opponent appeared. Later on both remained absent. Various opportunities were given to the parties to argue the matter, but they did not remain present. Even fresh notice was issued. In any case I am proceeding with the matter on the basis of records of the case.

5. I have carefully gone through the records of the case. It is seen that by application dated 21/9/2010, the complainants sought certain information. The information consisted of license copy of compound wall and copy of compound wall in Sy. No.67/1 of village Oxel by Shri Ramnath Raghuvir Halarnkar. Even xerox copy of compound wall was enclosed for reference. By letter dated 11/10/2010, the complainant was requested to collect the required information after payment of necessary fees. It is seen from the records that the appellant received the information by letter dated 14/10/2010.

The grievance of the complainant appears that whatever information furnished is false.

6. The complainant contends that the information furnished is false and misleading. According to him, the opponent has acted fraudulently in furnishing information to the complainant. This fact has been denied by the opponent in his reply. According to the opponent information is correct information as available on the records of the Panchayat.

It is to be noted that purpose of R.T.I. Act is per se to furnish information. Of course the complainant has a right to establish that information furnished to him is false, incorrect, misleading etc. but the complainant has to prove it to counter opponent's claim. The information seeker must feel that he got the true and correct information. Otherwise the purpose of R.T.I. Act would be defeated. It is pertinent to note that the mandate of R.T.I. Act is to provide information – information correct to the core and it is for the complainant to establish that what he has received is incorrect and incomplete. The approach of the Commission is to attenuate the area of secrecy as much as possible. With this view in mind, I am of the opinion that the Complainant must be given an opportunity to substantiate that the information given to him is incomplete, incorrect, misleading etc as provided in Sec.18 (1)(e) of the R.T.I. Act.

7. In view of the above, since information is furnished no intervention of this Commission is required. The complainant should be given an opportunity to prove that the information is incorrect, false misleading etc. Hence I pass the following order.:-

**ORDER**

The Complaint is allowed. The complainant to prove that information furnished is false, incorrect, misleading etc.

Further inquiry posted on 20/2/2012 at 10.30 am .

The Complaint is accordingly disposed off.

Pronounced in the Commission on this 3<sup>rd</sup> day of January, 2012.

**Sd/-**  
**(M. S. Keny)**  
State Chief Information  
Commissioner