

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

**CORAM:** Shri Afonso Araujo, State Information  
Commissioner

Complaint No.55/SIC/2009  
Complaint No. 56/SIC/2009  
Complaint No. 57/SIC/2009  
Complaint No. 58/SIC/2009

Mr. Domnic D'souza,  
H. No. 315/4, Tropa Vaddo,  
Sodiem,  
Siolim – Goa

... Complainant.

V/s.

Public Information Officer,  
Secretary,  
Village Panchayat of Sodiem,  
Siolim – Goa

... Opponent.

Smt. Joana D'Souza, authorized representative of the  
Complaint.  
Opponent in person.

**Dated: 12.04.2010**

**COMMON ORDER**

As the Complainant and the Opponent in Complaint  
No. 55/SIC/2009, 56/SIC/2009, 57/SIC/2009 AND  
58/SIC/2009 are the same, the above Complaints are  
disposed by Common Order.

2. The information sought under the RTI Act by the  
Complainant was provided by the Opponent but the  
grievance of the Complainant is that there was a delay in  
providing the information sought. The contention of the  
Opponent is that the delay was of genuine reasons as  
preparations had to be made for the annual audit of the  
Panchayat and the Opponent produced copy of the  
Memorandum of the audit of Village Panchayat accounts  
to be conducted in 2009-10.

3. Now the question is whether the delay by the  
Opponent. was justified. In Complaint No. 55/SIC/2009  
the information was sought on 16.06.2009. As the  
Complainant did not receive the information

...2/-

within the period of thirty days, preferred the First Appeal on 23.07.2009 and on 01.08.2009 the information was provided and the First Appellate Authority by Order dated 13.08.2009 stopped the proceedings as the Complainant received the information. Similarly, the information sought on 02.05.2009 in Complaint No. 55/SIC/2009; on 27.05.2009 in Complaint No. 57/SIC/2009 and on 09.06.2009 in Complaint No. 58/2009, was not provided within the time prescribed of thirty days under the RTI Act. In all the above three cases the Complainant preferred First Appeal on 10.07.2009, the Opponent provided the Complainant the information on 31.07.2009 and the First Appellate Authority on 31.07.2009 dropped each of the proceedings stating that the Complainant was satisfied with the information provided.

4. On perusing the memorandum of the Block Development Officer, Mapusa, indicates that it was issued on 15.06.2009 mentioning the dates of audit to be carried in the respective Village Panchayats and the date of audit fixed for Village Panchayat Sodiem was on 19.08.2009 to 20.08.2009. Considering the fact that the intimation of the audit was issued on 15.06.2009 and the audit of the Village Panchayat was fixed on 19.08.2009, in all probability there was a need of preparation specially in accounts matter and the date of intimation of audit i.e. 15.06.2009 was close to the dates of the information sought, indicates that there was no intentional delay on the part of the Opponent to provide the information to the Complainant.

5. However, as the information sought for has to be provided from the records, it appears that the Public Authority the Village Panchayat of Sodiem has not

complied with the mandatory provision of section 4(1) of the RTI Act and keep all the records of the Panchayat duly catalogued and indexed so as to facilitate the Public Information Officer to provide the information quickly and efficiently. As the Complainant was put to inconvenience in all these four cases, he requires to be compensated. As such, the Complaints No. 55/SIC/2009, 56/SIC/2009, 57/SIC/2009 and 58/SIC/2009 is disposed in the following manner:

- i) The Public Authority of the Village Panchayat Sodiem to maintain all the records of the Panchayat duly catalogued and indexed.
- ii) The Complainant to be paid compensation of Rs. 1,000/- from the funds of the Panchayat.

Sd/-

**(Afonso Araujo)**

**State Information Commissioner**

