

**GOA STATE INFORMATION COMMISSION**  
'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

---

**Appeal No. 132/2015**

Shri Bandhgit Nadaf  
No. 9,3<sup>rd</sup> floor, Paes Avenue Bldg.,  
F.L.Gomes Road,  
Vasco-Da-Gama Goa.

..... Appellant

**V/s.**

- 1.The Public Information Officer,(PIO)  
Asst. Director of Education(Acad),  
Directorate of Education,  
Porvorim -Goa.
2. State Public Information Officer,  
Mrs Sharada Naik Headmistress/SPIO,  
O/o. The Municipal High School Vasco,  
Vasco –Da-Gama, Goa.
3. The First Appellate Authority,  
Shri R.S. Samant,  
Director of Education,  
Directorate of Education,  
Porvorim- Goa.

..... Respondents

**CORAM:**

**Smt. Pratima K. Vernekar**, State Information Commissioner.

**Filed on:22/12/2015**  
**Decided on:01/12/2017**

1. The appellant Shri Bandagit Nadaf by an application dated 5/8/15 filed u/s 6(1) under RTI Act 2005 sought certain information at point 1 to 12, in respect of headmistress of Municipal High School ,Vasco – Da-Gama. The said application was addressed to PIOs of Personal Department, Director of Education and of Municipal High School .
2. The said application was then transferred by Respondent No.1 PIO of education department to the Respondent No.2 PIO of Municipal High School, vide letters dated 21/8/15 and 9/9/15 u/s 6 (3) of the

RTI Act,2005 with a request to furnish the requisite information at point No.1 to 12 of the application.

3. The Respondent No.2 PIO of Municipal High school responded to the application of appellant on 5/9/15 thereby providing part of the information and with regards to other information he was called upon to do the inspection .
4. The respondent No.1 PIO of Education department also vide letter dated 9/9/15 informed the appellant to collect the information at point no.5 and information at point No.6 was denied on the ground that it does not come under the ambit of RTI Act.
5. Being not satisfied with the reply of respondent No.2 ,the appellant filed the first appeal to the director of Education being first appellate authority on 25/3/14 who is the respondent no.3 herein and the RespondantNo.3 first appellate authority by order, dated 3/11/2015, dismissed the said appeal of the appellant .
6. Being aggrieved by the response of respondent No.2 and respondent No.3 ,the appellant has approached this commission in the second appeal u/s 19(3) of the RTI Act on ground that no complete information has been furnished to him till date
7. The appellant by this appeal has prayed for furnishing the information and also for penal reliefs .
8. Notice were issued to the parties. Pursuant to which appellant, Respondent No.1 and Respondent no.3 opted to remain absent . The respondent No. 2 Smt Sharda Naik along with Madan Naik appeared and filed her replies on 28/9/17 and on 15/11/17 along with enclosures . The copies of both the replies could not be furnished to the appellant on account of his continuous absence .
9. Vide both the replies she has contended that as per the directions of this commission , she had sent the said information by registered AD on 8/4/17which was returned back with endorsement as "the party

refused” . It was further contended that once again she sent it by registered AD on 1/11/17 which was received by the appellant . The Xerox copies of the acknowledgement cards of the postal authority and the letter dated 30/10/17 incorporating the information was relied upon in support of said contention .

10. Opportunity was granted to the appellant to place on record grievances if any with regards to the information furnished by respondent No.2 and received by him through registered AD . As no any grievances are received from appellant ,as such I am of the opinion that no intervention of this commission is required at prayer I
11. There is no cogent and sufficient evidence brought on record by the appellant that respondents have acted malafidely and denied him information deliberately , on the contrary I find that respondent no.1 and 2 have responded well within time thereby furnishing information and offering inspection of files. As such by subscribing to the ratio laid down by Hon’ble High Court Bombay , Goa bench at Panaji in writ Petition No.205/2007; Shri A. A. Parulekar v/s Goa State information commission I am declined to grant relief of penal action sought by appellant against Respondent PIO.

The Appeal proceedings disposed according .proceedings stands closed .

Notify the parties.

Authenticated copies of the Order should be given to the parties free of cost.

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.

Pronounced in the open court.

Sd/-

**(Ms.Pratima K. Vernekar)**  
State Information Commissioner  
Goa State Information Commission,  
Panaji-Goa

Ak/-