

**GOA STATE INFORMATION COMMISSION**

'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

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

**Complaint No. 13/SCIC/2014**

Dr. Ashish Kamat,

H. No. 79, Comba Alto, Margao-Goa

V/s

1. The First Appellate Authority,  
Directorate of Education,  
Porvorim-Goa
2. Public Information Officer (PIO),  
Directorate of Education,  
Porvorim-Goa

Complaint filed on :- 12/03/2014

Disposed on:- 1/06/2017

**ORDER**

1. The brief facts leading to the present complaint are as under:- The Complainant Ashish Kamat by his application dated 28/11/2013 has sought for inspection of the tender files alongwith the noting related to cyberage student scheme/edunet scheme from year 2009 to 2012.
2. It is case of the complainant that, as no reply was received by him within stipulated time and no inspection of file was given to him by Public Information Officer (PIO), he preferred 1<sup>st</sup> appeal on 8/01/2014 before Directorate of Education, who is the Respondent No. 2 herein, who failed to dispose the said appeal.
3. Being aggrieved by the action of both the Respondents , the present complaint came to be filed before this

Commission on 12/03/2014. In the present Complaint, he had sought for the intervention of this Commission for providing information and for invoking penal provision against Public Information Officer (PIO).

4. Notices were issued to both the parties. Complainant opted to remain absent. Opponent No. 1, Ishwar Patil present. On behalf of Opponent No. 2 Chawdikar appeared. Reply filed by PIO on 3/05/2017. The copy of the reply could not be furnished to Complainant on account of his absence.
5. Arguments of the PIO were heard. It is contention of the PIO that in pursuant to the common order passed by this Commission on 8/10/2014 in the complaint no. 146/2013 and present Complaint No. 13/2014, all the relevant information have been supplied to the Complainant. PIO further contended that the inspection of the relevant file as desired by the Complaint was carried out by him concerning present RTI application and photocopies of the noting sheet and all the relevant documents provided to him on 21/11/2014 on his request. He further submits that there is no malafied intention on their part to deny the information.
6. On account of absence of the Complainant no clarification could be sought from him. From the available records it could be gathered that present Complaint was filed by Complainant on 12/03/2014 and information was furnished to him on 21/11/2014. It appears that Complainant is not much interested in pursuing the present Complaint as such he didnot make himself available during the hearing for substantiating his case.

7. The Commission before parting observes that the application of the Complaint u/s 6(1) was not responded at all by PIO so is the case with FAA, First Appellate Authority have not disposed the appeal within time. The act on the part of both the Opponents are against the mandate of RTI Act which are condemnable. Since information is furnished to him subsequently and as nothing has been brought on record by the Complainant the lapse on the part of both the Respondent are persistent, a lenient view is taken in the present matter. The then PIO and FAA is hereby directed to be vigilant henceforth while dealing with RTI matters and any such lapses in future will be viewed seriously.

Complaint disposed accordingly, proceeding 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

Kk/ ff/