

GOA STATE INFORMATION COMMISSION

Kamat Tower, Seventh Floor, Patto Panaji-Goa

Appeal No. 238/2017

Shri Tukaram Appa Patil,
Solacia Society, Bldg., No. F4-102,
Bhehind Moze College of Engineering, Baif Road,
Wagholi, Pune-412207.

.....Appellant.

V/s.

1. Dr. Pervis Gomes,
Dy. Director of Accounts,
Public Information Officer (PIO),
Directorate of Accounts,
Panaji Goa.403001
2. Shri P.R. Pereira,
Director of Accounts & Ex-Officio
Joint Secretary to Government,
& First Appellate authority (FAA),
Director of Accounts, Fazinda Building
Panaji Goa.

..... Respondents

CORAM:

Smt. Pratima K. Vernekar, State Information Commissioner

Filed on: 28/12/2017

Decided on: 06/02/2018

Judgment

1. The facts in brief leading to present appeal are that the appellant Shri Tukaram Appa Patil by his application, dated 14/8/2017, filed u/s 6(1) of The Right to Information Act, 2005 sought status of his bill of Rs. 16,928/- submitted by Account Section of Government Polytechnic to the Director of Accounts, Panaji, Goa. The said information was sought from PIO of Director of Account PIA-IV Panaji Goa.
2. The said application was responded by Respondent No.1 PIO on 4/9/2017 where he was called upon to make the payment of Rs. 2/- in order to takeout the copies of the documents .

3. According to the Appellant he issued money order of Rs. 29/- in favour of Director, Directorate of Account, Panaji towards the cost of documents.
4. According to the appellant the respondent No. 1 PIO vide his letter dated 22/9/2017 providing him copy the note of Dy. Director of Accounts PA-IV section dated 21/8/2017. Vide said note of Dy. Director of Account, PA IV section, it was informed to the appellant that his bill of Rs. 16928/-in respect of Shri T.A.Patil was received in their section by token Number 8829 and Diary No. 104399 dated 3/2/2016 has returned back in original with observation on 1/3/2016 to Government Polytechnic, Panaji, Goa.
5. As according to the appellant as the information was not furnished, he filed first appeal on 6/10/2017 to Respondent No.2.
6. Respondent no. 2 First appellate authority by an order dated 15/11/2017 dismissed the said appeal by upholding the say of PIO .
7. The appellant being aggrieved by said response of PIO and the first appellate authority, has approached this commission on 26/12/2017 in this second appeal u/s 19(3) of the act with the contention that the information is still not provided and seeking order from this commission to direct the PIO to furnish the information and for recalling his bill from AAO.
8. The matter was listed on board and was taken up for hearing. In pursuant to notices of this commission Appellant was absent. Respondent PIO was represented by Naresh Kankonkar who filed reply on behalf of Respondent s on 6/2/2018.
9. I have scrutinized the records available in the file.
10. Vide memo of appeal it was contended by appellant that the bill of Rs. 16928 has not been passed and nothing has been informed

by the Government Polytechnic Panjim to him. He further contended that it has caused him to low fixing of pension and other benefits.

Vide letter dated 19/1/2018 which was received by post in the registry of this commission which was inwards vide entry No. 164 dated 28/1/2018 appellant contended that if the PIO is not in the possession of the bill then they should transferred his application to DDO of Government Polytechnic, Panajim. It is his contention that it was necessary for him to know the observation of the bill which is return without passing.

11. The PIO vide his reply dated 22/9/2017 have submitted that they have returned the original bill with the observation to the DDO of Government Polytechnic, Panaji for further action. It is their contention that they have not maintained the duplicate of the said nor kept the copy of the observations made by them while returning the said bill. It is his further contention that since large number of bills are received and returned by them and as such it is not possible to retain the copy of the return memo of each bill.
12. Though the Respondent PIO has furnished him the current status of the bill, it is the right of the appellant to know the observation made in the said bill as the said bill is not passed by concerned authority, thereby causing and depriving the appellant with monitory benefits. The appellant who is senior citizen has been made to run from pillar to post in pursuing his said application and despite of same he is unable to get the required information.
13. Since the bill of the appellant is pending with Government Polytechnic, Panaji for further necessary action, in order to avoid further inconvenience and hardship to the appellant and also in a interest of justice. I am of the opinion the ends of justice will meet with following order;

ORDER

- a) The Respondent no. 1 PIO is hereby directed to transfer the said application to the PIO of Government Polytechnic, Panaji u/s 6(3) of RTI Act and the PIO of Government Polytechnic, Panaji is hereby directed to deal the same in accordance with law.

- b) The right of the appellant if aggrieved by the decision of PIO of Government Polytechnic, Panaji to approach the appellate authorities in appeal and complaint is kept open.

With the above directions , the appeal proceedings stands closed.

Notify the parties.

Pronounced in the open court.

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.

Sd/-

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

Ak/-