

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

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**CORAM: Shri Juino De Souza: State Information Commissioner**

**Appeal No.123/2017**

**Mrs. Doreta Silveira**  
**H/No. 475,**  
**Dongorim - Navelim,**  
**Salcete – Goa. 403 707**

..... **Appellant**

**v/s**

**State Public Information Officer,**  
**Mr. Devdasan A.,**  
**Executive Engineer,**  
**Div. IV, Electricity Department**  
**Aquem , Margao – Goa.**

..... **Respondents**

**Relevant emerging dates:**

**Date of Hearing: 14-11-2018**

**Date of Decision: 14-11-2018**

**ORDER**

1. **Brief facts** of the case are that the Appellant has filed vide an RTI application u/s 6(1) of the RTI act 2005 dated 08/03/2017 sought certain information from Respondent PIO, Asstt Engineer, Electricity Department Sub-Division-III Div.IV, Navelim Aquem, Margao, Salcette Goa. The information pertains to six issues and the Appellant is complaining about a pole in her property from where electricity connections are given to houses and bungalows and the appellant is alleging that such consumers are illegally using her house no 475 by taking her house electricity bill and other such allegations.
2. The Appellant has named various person as follows: In Issue No 3 Domnic Gomes whose electric consumer no is 5B-11-2 15905 LTD. In Issue No 4 Roque Gomes whose electric consumer no is 5B-11-1 177791 LTD. In Issue No 5 Alexio Gomes and Maria Gomes and other houses constructed in the fields and rented having consumer no 5B-11-2308 LTD and 5B-9A-28717 and to provide copies of application along with the documents annexed, while making the application.....

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.....including Construction details, Occupancy certificate and other relevant documents including village Panchayat tax bills and Panchayat NOC, Requisition form, I.D proof, for obtaining Electrical connections and to provide copy as to when connections were released. an In issue no 6 stating that most of the time electricity bills are taken away by these people and she the Appellant has to make payment of her bills by collecting the duplicate from the Electricity department.

3. It is seen that the Appellant was furnished information by the PIO vide letter no EE-IV/O&M/Tech-129(RTI)(A)/03/17-18 dated 05/04/2017 by enclosing 15 pages of information documents and also enclosing replies from two Asstt Engineers (APIO's) dated 31/03/2017 and 29/3/2017 where information is furnished in tabulation form. It is also seen that in reply dt 29/03/2017 it was informed in issue no.4 that as the connection is more than 20 years old, hence no records are available. In issue no.5, it is informed that consumer number 5B-11-2308 LTD, the installation is in the name of Shri.Francisquinho Gomes.
4. It is further seen that the PIO has furnished along with his reply along with eight different documents viz receipt of payments, Application Form of Shri Francisquinho Gomes, Estimate, NOC given by the Village Panchayat, Navellim, Nearest Electricity Bill of Lurdina Gomes, Requisition form and Test Report Form, wiring diagram etc.
5. The Appellant not satisfied with the reply of the PIO and information furnished, thereafter filed a First Appeal dated 17/04/2017 and the First Appellate Authority (FAA) vide an order dated 12/05/2017 disposed off the matter by stating thus: 'as the SPIO and APIO already informed that the required information is furnished as available with them, it is presumed that all the required information is provided and the matter is thus dismissed' Being aggrieved by the order of the FAA, the appellant filed a Second Appeal before the Commission registered on 16/08/2017 and has requested to direct the concerned department to furnish all the information as sought from the Department.

6. **HEARING:** This matter has come up before the commission on numerous previous occasions and hence taken up for final disposal. The appellant is absent. It is seen from the roznama that the appellant has remained absent right since the filing of the appeal from 20/10/2017. The respondent APIO Santan Silva Assistant Engineer Division IV, Electricity Department, Margao – Goa is present in person.
7. **SUBMISSIONS:** Shri Santan Silva submits that the pursuant to the receipt of the RTI Application, the appellant was furnished information by the PIO vide letter no EE-IV/O&M/Tech-129(RTI)(A)/03/17-18 dated 05/04/2017 by enclosing 15 pages of information documents and also enclosing replies from two Asstt Engineers (APIO's) dated 31/03/2017 and 29/3/2017 where reply was given in tabulation form.
8. Shri Santan Silva further submits that the appellant in the RTI Application has given incorrect installation numbers the details of which do not tally with the names of the consumers and as such the PIO is unable to furnish correct information. It is also submitted that the PIO, after tallying with the electricity bill cycle number, furnished information pertaining to the installation No.5B11/2308LTD which was found in the name of Shri. Francisquinho Gomes and all details regarding the said installation were given to the Appellant.
9. Shri Santan Silva further submitted that on the verbal directions of the Commission, all electricity bills pertaining to consumer with names of Shri. Dominic Gomes having Legacy no.5B|11|2/15905/C1043207776, Shri. Roque Gomes Legacy No. 5B|11|1/17791/C1043207794, Shri. Fransquino Gomes No.5B|11/2308/C1043207818, Shri. Fransquino Gomes No.5B|9|A/28717/C1043207809 has been furnished for verification of the Appellant.

10. The APIO finally submitted that the Appellant in her Second Appeal raised objections about the bill of Lourdina Fernandes stating that it was not what she had asked nor is she in any way connected with it, however the APIO clarified that although the said information was not sought by the Appellant, the same was furnished as the said person was the nearest consumer in the vicinity and therefore all documents pertaining cycle no/legacy no of that consumer were furnished and further submitted that original NOC given by the Navelim Panchayat are not with the Electricity Department.
11. **FINDINGS**: The Commission on perusing the material on record at the outset finds that Second Appeal filed by the Appellant consist of a one page request letter and is not a proper appeal. The Appellant has not mentioned the grounds for challenging the order of the FAA nor has made any prayers for reliefs. The Commission has perused the following documents on record: A letter dated 12/11/2018 stating that the records were once again searched and no additional documents are available. A Para wise reply from PIO dated 28/05/2017 giving all explanation and details of information furnished. Another reply of PIO dated 19/10/2017 confirming facts.
12. The Commission has also perused the letter dated 10/01/2018 of Appellant mentioning that copies of documents including bills furnished are irrelevant and to provide copies of other houses as well and copies of approvals, NOC for concerned authorities.
13. The Commission on scrutiny of the RTI application finds that the Appellant is seeking information based on surmises and conjectures. The Appellant has used words such as : 'It appears', 'who I believe', 'there is a person named Domnic Gomes (actual name is also changed)' etc and is thus not sure of the information. The Commission also finds that the PIO has made all efforts to trace the information however was unable to do so as the installation numbers provided by the Appellant did not match with the names of the consumers.

14. As stipulated in the RTI act, the role of the PIO is to provide information as available from the records. Regrettably the PIO cannot procure information for the satisfaction of the Appellant. The Act, however, does not require the PIO to deduce some conclusion from the 'material' and supply the 'conclusion' so deduced to the applicant. It means that the PIO is required to supply the 'material' in the form as held by the public authority and not do research on behalf of the citizen to deduce anything from the material and then supply it to him.
15. The PIO is not authorized to give any information which is non-existent nor can he create or analyze the information correctly as per the whims and fancies of the Appellant. The PIO is only called upon to supply information accurately in accordance with record available without conceding or withholding any information. It is not a case where the PIO has denied the request for information or knowingly given incorrect, incomplete or misleading information.
16. The very fact that the PIO provided information about the nearest consumer information i.e Lourdina Fernandes, although the same may be irrelevant to the Appellant, it is sufficient to prove the bonafide that the PIO has acted reasonably and diligently and that the PIO has furnished information was as available and as it existed as per the records available and which is the mandate of the RTI Act.
17. The Commission also observes that the PIO as directed by the Commission has provided electricity bills of consumers named in the RTI application namely Shri. Dominic Gomes Shri. Roque Gomes, Shri. Fransquino Gomes for clearing doubts of the Appellant that consumers are illegally using her house no 475 by taking her house electricity bill and other such allegations.

18. Obviously, the PIO could not furnish the correct information as the installation numbers given by the Appellant in her RTI application did not tally with the names of the consumers mentioned therein as such the PIO was helpless.

**Conclusion / Decision:**

**In view of the above discussions, No interference is required with the order of FAA. The Appeal is devoid of any merit and stands Dismissed.**

All proceedings in Appeal case stands closed. Pronounced before the parties who are present at the conclusion of the hearing. Notify the parties concerned. Authenticated copies of the order be given free of cost.

**Sd/-**

**(Juino De Souza)  
State Information Commissioner**