

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

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

**Appeal No.184/2018/SIC-II**

Miss Elvina Barreto,  
H. No. 553, Colsor,  
Galgibaga, Canacona Goa.  
403 702  
Contact No. 2643183.

**..... Appellant**

v/s

1. Public Information Officer,  
Gloria Abranches, Section Officer,  
Personnel Department,  
Secretariat Porvorim- Goa.

2. First Appellate Authority  
Shri. Yetindra M. Maralkar,  
Additional Secretary (Personnel),  
Secretariat Porvorim- Goa.

**..... Respondents**

**Relevant emerging dates:**

Date of Hearing : 30-10-2018

Date of Decision : 30-10-2018

**ORDER**

1. **Brief facts** of the case are that the Appellant vide an RTI application dated 16/05/2018, addressed to the PIO, Personnel Department, Secretariat, Porvorim-Goa sought certain information under Section 6 (1) of the RTI Act. 2005. The information *inter alia* pertains to a copy of appointment Order of Director during the year from 1990 to 2005, at the office of Directorate of Settlement and Land Records, Panaji-Goa.
2. The PIO vide letter No.6/8/2018-PER/RTI/1907 dated 13/06/2018 informed the Appellant to pay an amount of Rs.2 and collect the information documents on any working days and that the work of photocopying will begin upon payment of information fees.
3. Not satisfied with the reply of the PIO, the Appellant thereafter filed the First Appeal on 22/06/2018 and the First Appellate Authority (FAA) vide his Order dated 13/07/2018 dismissed the said First Appeal.

...2

4. The FAA in his order had expressed satisfaction that the Respondent PIO has given the reply after verifying the records and since has clearly mentioned in her reply that the required information is not available in the Personnel Department, to my mind the same cannot be termed as denial of information unless the same is proved contrary. As such it is felt that the interference of this authority is not required in the present matter.
5. The Appellant being aggrieved with the Order of the First Appellate Authority, subsequently has filed a Second Appeal before this commission registered on 30/07/2018 and has prayed for directions to the PIO to provide information and for other reliefs.
6. **HEARING:** The Appellant Miss Elvina Barreto is present in person. The Respondent PIO, Smt Gloria Abranches, Section Officer, Personnel Department, Govt of Goa is also present.
7. **SUBMISSIONS:** This matter is taken up for final disposal and at the outset the Appellant submits that the information documents provided by the Respondent is not her satisfaction. She further submits that she has sought copies of Appointment Orders of Directors at the office of Directorate of Settlement and Land Records, what is given is a copy of Official Gazette bearing names of the Directors and period of posting and that she has nothing further to argue in the matter.
8. The Respondent PIO submits that whatever information is available in the records has been furnished. She submits that the Appellant has sought a copy of Appointment Order of Director during the year from 1990 to 2005 at the at the office of Directorate of Settlement and Land Records, Panaji-Goa and that such Director's are Goa Civil Service Officers who are transferred from one Department to the other and as such new Appointment Orders are not issued but transfer Orders showing the posting of the said officer are issued.

9. It is finally submitted that copies of Official Gazette clearly showing the names and the date of the posting of all the Directors posted at the Office of the Directorate of Settlement and land records from the year 1990 to 2007 have been furnished to the Appellant and also a letter bearing no also a letter bearing No.176/DSLRTI/EST/12/2645 dated 27/04/2018 showing the names and period of posting of Directors in the Directorate of Settlement and Land Record Panaji Namely, Shri. M.S. Sail, Director from 06/05/1990 to 19/02/1992 (2) Shri.L.J. Menezes Paies from 19/02/1992 to 31/05/1995. (3) Shri. S.P. Dixit from 26/07/1995 to 13/06/1999 (4) Shri. R.M. Vardhan from 14/06/99 to 11/04/2005 is also furnished and that there is no other information available.
10. **FINDINGS**: The Commission on perusal of the material on record and on scrutiny of the documents indeed finds that the following information documents have been furnished: 1) Copy of Official Gazette dated 28/04/2005 showing the posting at Sr. No. 4 of Shri. P.K. Patidar from present posting of Registrar of Co-operative Societies to Director, Directorate to Settlement and Land record on transfer. 2) Copy of Order dated 14/06/1999 showing posting of Shri. Mihir Vardhan at Sr. No. 2 from present posting of Director of Tourism as Director of Settlement and Land Record on transfer. 3) Copy of the Official Gazette dated 16/11/1995 showing the posting at Sr. No. 1 of Shri S.P. Dixit from present posting of Managing Director, Goa Housing board to Director, Directorate of Settlement and Land Record on transfer thereby relieving Shri S.D. Dessai, Additional charge. 4) Copy of the Official Gazette dated 27/02/1992 showing the posting of Shri L.J. Menezes from present posting of Director Printing and Stationery as Director of Land Survey. 5) Copy of Official Gazette dated 05/03/1991 showing the posting of Shri. Sail as Director of Land Survey who shall hold the post of Director of Employment in addition to his own duties.

11. There is also a Letter bearing No.176/DSLRL/RTI/EST/12/2645 dated 27/04/2018 showing the names of four officers and period of posting in the Directorate of Settlement and Land Record Panaji Namely, Shri. M.S. Sail, Director from 06/05/1990 to 19/02/1992 (2) Shri.L.J. Menezes Paies from 19/02/1992 to 31/05/1995. (3) Shri. S.P. Dixit from 26/07/1995 to 13/06/1999 (4) Shri. R.M. Vardhan from 14/06/1999 to 11/04/2005.
12. **CONCLUSION/DECISION:** The Commission accordingly comes to the conclusion that the PIO, has furnished correct and complete information thereby fulfilling the duty cast upon as per the RTI Act. The appellant in her submissions stated that she had sought copy of appointment Orders of the Director's during the year from 1990 to 2005, at the office of Directorate of Settlement and Land Records, Panaji-Goa and what has been submitted are copies of official gazette, letters, etc which are not appointment orders. The Commission observes that the Appellant failed to realize that 'Director's' are Senior Goa Civil Service Officers who are transferred and posted from one Department to the other and in such postings there is no new appointment order issued. The PIO in her submissions has clearly explained that 'What is issued are transfer and posting orders and not appointment orders'.

**No intervention is therefore required with the Order of First Appellate Authority dated 13/07/2018 which has upheld the reply of the PIO.** As information has been furnished, nothing survives in the Appeal case which accordingly stand disposed.

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**