

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

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**Shri Prashant S.P. Tendolkar,**  
State Chief Information Commissioner

**Appeal No. 68/2018/CIC**

Shri Jawaharlal T. Shetye  
H. No.35/A Ward No.11,  
Khorlim, Mapusa-Goa. .... Appellant.  
V/s

- 1) The Public Information Officer,  
Dy. Director of Accounts,  
Directorate of Accounts,  
Panaji –Goa.
- 2) The First Appellate Authority,  
The Director of Accounts & Ex Officer,  
Joint Secretary to Government,  
Directorate of Accounts,  
Panaji –Goa. .... Respondents

Filed on: 29/03/2018

Disposed on: 13/08/2018

**1) FACTS IN BRIEF:**

- a) The appellant herein by his application, dated 11/12/2017 filed u/s 6(1) of The Right to Information Act 2005 (Act for short) sought certain information from the Respondent No.1, PIO seeking information in the form of copies and also inspection.
- b) The said application was replied on 05/01/2018. However according to appellant the information as sought was denied and hence the appellant filed first appeal to the respondent No.2, being the First Appellate Authority (FAA).
- c) The FAA by order, dated 26/02/2018, allowed the said appeal and directed PIO to allow appellant to inspect the file. Appellant contends that he is not satisfied, wherein

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according to him only inspection of the file is allowed and denied information sought vide his said application, dated 11/12/2017.

d) The appellant has therefore landed before this Commission in this second appeal u/s 19(3) of the act.

e) Notices were issued. On 27/06/2018 PIO filed reply to the appeal. Copy of the same was furnished to appellant.

f) After filing of the said reply by PIO matter was posted for arguments. However, though the copy of the reply was served on him, on all subsequent hearings appellant remained absent. In view of his absence clarification of the PIO was sought.

**FINDINGS:**

a) Perused the records and considered the submissions and pleadings. The application u/s 6(1) of the act filed by appellant, seeks information on six points therein. In the same application the appellant has requested the PIO to grant him inspection of the concerned file of the pensioner Shri Vilas Mahale.

b) In response to the said application the PIO has denied point (1) and at (2) u/s 8(1) (j), as according to PIO the said information is personal.

Regarding information at points 3 to 5(v) are denied on the bases of a memorandum of Government of India Ministry of Personal, Public Grievance & Pension vide No.1/18/2011-IR, dated 16/09/2011.

The said reply does not provide any information to point No.6 of his application.

c) In the first appeal that followed, the FAA directed the PIO to provide inspection of the file. Commission finds this order of FAA being in tune with the requirement of the applicant.

d) Pursuant to the said order of FAA the appellant inspected the file on 09/03/2018. Based on the said inspection, the appellant filed another application on 10/03/2018 seeking further information.

e) This second application was responded by PIO on 12/03/2018, furnishing the documents as requested. The appellant has no grievance against the said response dated 12/03/2018. On perusal of said application, filed on 10/03/2018, it is seen that the same is seeking information with reference to his request at point (6) of his earlier application, dated 11/12/2017.

f) The said application dated 09/03/2018 filed on 10/03/2018 by appellant is relied upon by the PIO in his reply to this appeal. Similarly the response of PIO dated 12/03/2018 to said second application is also relied upon and filed by PIO on record in his reply dated 27/06/2018. Though the said correspondences were generated and were in possession of appellant prior to filing of this appeal on 29/03/2018 he has suppressed the said fact from this commission. Commission therefore observes and condemns the unfair approach of the appellant in filing this appeal.

In fact the information as was sought was already received by the appellant before filing this appeal. Apparently it is with a fear of exposure of his said approach that the appellant has avoided appearing in this appeal after filing of the reply.

g) Coming to the merits of the appeal, suffice to hold that the information as was sought by the appellant has been already furnished and consequently the appeal lacks merits.

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In the result the same is disposed with the following.

**O R D E R**

The appeal is dismissed.Proceedings closed. Notify parties.

Pronounced in the open hearing.

Sd/-

**( P. S. P. Tendolkar )**

State Chief Information Commissioner

Goa State Information Commission

Panaji - Goa