

GOA STATE INFORMATION COMMISSION

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

Tel No. 0832-2437908/2437208 email: spio-gsic.goa@nic.in website: www.gsic.goa.gov.in

Appeal No. 11/2021/SCIC

Shri. Tukaram Appa Patil,
R/o Sunshine Hill, A/5/408,
Jagdamba Bhavan Marg,
Land Mark, Nr. Cafe Sunshine,
Pisoli-Pune (M.H) 411060

.....Appellant

V/S

1. The Public Information Officer,
O/o the Director, Directorate of Technical Education,
Porvorim-Goa. 403521

2. The First Appellate Authority,
The Director, Directorate of Technical Education,
Porvorim-Goa. 403521

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 18/01/2021

Decided on: 08/10/2021

FACTS IN BRIEF

1. The Appellant, Shri. Tukaram Appa Patil r/o Sunshine Hill, A/5/408, Jagdamba Bhavan Marg, Land Mark, Near Cafe Sunshine, Pisoli-Pune, Maharashtra, 411060, by his application dated 26/10/2020 filed under sec 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought from the Public Information Officer, Office of the Chief Minister of Goa, Assembly Complex, Porvorim, Bardez Goa, the following information:-

"I would like to request you to provide certified information/ documents i.e current status of my petition refers above as regard to Erroneous Promotion to Mr. S. G. Ekawade, Ex-Stores Officer, Govt. Polytechnic, Panaji and excess pension fixation (PPO. No.)".

2. The application was transferred to the PIO, Directorate of Technical Education and Respondent No. 1 in this Appeal. According to PIO, he forwarded the said RTI application to APIO, Assistant Director of Establishment Section and obtain the information and forwarded the reply to the Appellant vide letter No. DTE/CAD/SPIO/2007/2202 dated 15/12/2020.
3. The Appellant contends that the information was not furnished to him within stipulated time and being so he filed first appeal with Directorate of Technical Education at Porvorim Goa being the First Appellate Authority (FAA).
4. The FAA by order dated 28/12/2020 dismissed the said appeal, upholding the reply of PIO.
5. Aggrieved with the order of FAA, Appellant preferred this second appeal under sec 19(3) of the Act with the prayer to provide the information.
6. Notice was issued to the parties, pursuant to which PIO, Shri. Pradip Kusnur appeared and filed his reply on 09/04/2021. Dr. Vivek Kamat, FAA appeared and filed his reply on 09/04/2021. In spite of valid notice service, the Appellant opted not to remain present personally or through his representative. However one email received from Appellant on 12/07/2021, which is taken on record. As the Appellant did not appear for the hearing, the matter has been decided on the basis of documents on record.
7. According to PIO, he received the RTI application of the Appellant through the PIO of Chief Minister under sec 6(3) of the Act on 18/11/2020. Upon receiving said application on very next day by letter No. DTE/CAD/SPIO/2007/ dated 19/11/2020 he forwarded the said application to APIO under sec 5(4) of the Act.

Subsequently on receiving the information from APIO, Assistant Director of the Establishment, he provided the information to the Appellant by letter No. DTE/CAD/SPIO/2007/2202 dated 15/12/2020.

8. FAA through his reply submitted that proper notice of hearing of first appeal was sent to the Appellant on 18/12/2020 which was duly acknowledged by the Appellant. He also produced on record the copy of notice dated 18/12/2020 and Xerox copy of email addressed to Appellant.
9. By RTI application, the Appellant sought the information regarding current status of his petition filed against one Mr. S.K. Ekawade, Ex-Store Officer, Govt. Polytechnic Panaji regarding excess pension fixation.

During the course of hearing, the PIO produced on record the covering letter dated 14/12/2020 and Inquiry note, wherein inquiry was conducted by Directorate of Technical Education, on the basis of representation filed by Appellant dated 05/09/2020 and Government of Goa was pleased to close the matter and accordingly was communicated to the Appellant.

10. From the facts that emerge, the Government has carried out the investigation against the petition of Appellant dated 05/09/2020 with regards to erroneous Promotion of Mr. S.K. Ekawade, Ex-Store Officer, Government Polytechnic Panaji Goa and closed the matter and inform the said to the Appellant accordingly. However this cannot be the matter under consideration with the Commission. The PIO has replied to the application under RTI within the stipulated time and therefore the matter ends.
11. In view of above, I find that there is no denial of information by the PIO. The delay caused therein is not deliberate or

intentional. I find no merit in the appeal and therefore dispose the present appeal with following:-

O R D E R

The appeal is dismissed.

Proceedings closed.

Pronounced in the open court.

Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner