

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

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**Complaint No. 157/SCIC/2013**

Rui Ferreira,  
H.No. E-1, Near Panjim Church,  
Panaji Gao 403001.

-----Complainant

**v/s**

1. Indian Red Cross Society,  
Goa State Branch,  
Through its General Secretary,  
Having its office at 18<sup>th</sup> June Road,  
Municipal Building,  
Panaji Goa.

2. Mr. R.K. Pikale,  
Hon. Vice Chairman,  
Indian Red Cross Society,  
Goa State Branch,  
Through its General Secretary,  
Having its office at 18<sup>th</sup> June Road,  
Municipal Building,  
Panaji Goa.

3. Government of Goa,  
Represented by the chief Secretary to the Government,  
(Information & Publicity Department),  
Government of Goa,  
Secretariat, Porvorim Goa.

4. The Director & Ex-Officio Joint Secretary of Goa  
(Information & Publicity),  
C/o Directorate of Information & Publicity,  
Udyog Bhavan, Near Azad Maidan,  
Panaji Goa.

-----Opponent

**Shri Vishwas R. Satarkar** - State Chief Information Commissioner

**Shri. Sanjay N. Dhavalikar** – State Information Commissioner

**Filed on:-18/12/2013**

**Decided on: 22/07/2021**

**ORDER**

1. The Complainant herein by his application dated 25/10/2013, under sec 6(1) of the Right to Information Act 2005, (Act for short) sought certain information from the Public Information Officer (PIO) of Indian Red Cross Society.
2. The said application was responded on 08/11/2013, informing that, Indian Red Cross Society, Goa State Branch is not coming under the purview of the RTI Act as it is neither a owned body of the Government, nor controlled by the Government neither substantially financed by the Government.
3. Being aggrieved by the said reply, the Complainant has landed before this Commission under sec 18(1)(b) and sec 20 of RTI Act with prayers as contained in the complaint memo.
4. Notices were issued to the parties, pursuant to which parties appeared however due to allegations and counter allegations of the parties, matter was referred before the bench on 03/06/2016.

Records reveal that, this matter is hotly contested between the parties and in the course of hearing on 17/08/2016, there was allegation of bias against the Commissioners, being so, the bench recused to hear the petition and adjourned the complaint sine die.

5. After constituting the new panel of Goa State Information Commission on 02/03/2021, fresh notices were issued to all the parties concerned and the matter was taken on board.

6. Complainant Rui Ferreira present in person, Mr. Subhash Salkar, Public Information Officer (PIO), General Secretary of Indian Red Cross Society, Goa State Branch appeared and filed his reply.

In the letter addressed to this Commission dated 14.07.2021, Shri Subhash Salkar has also mentioned 'Public Information Officer' below the signature apart from his designation as General Secretary of the Society. None appeared for Respondent No. 2 and Shri. Shanto Naik appeared on behalf of Respondent No. 4, Directorate of Information and Publicity.

7. During the course of hearing Mr. Subhash Salkar appeared as a designated PIO of Respondent No. 1 and filed his reply as PIO submitting that all the information sought by the Complainant has been furnished.

On receiving this, Complainant submits that, since the Respondent No. 1, Indian Red Cross Society, Goa State as admitted and accepted that they are Public Authority within the purview of RTI Act and received the information which was sought by him, he does not have any grievance against Respondents.

8. Interesting fact that emerge from the discussion of this complaint is that even after legislation having come into force more than 16 years ago, there is still not clarity with the public authorities with respect to applicability of the Act to such offices. Least that is expected from such authorities is that, if they come under section 2 (h) of the Right to Information Act, 2005, they should appoint the PIO and FAA immediately if not done already.
9. More so, there is implied need for the nodal department, i.e. Department of Information and Publicity to have a compiled list of all such public authorities who come under the purview of this Act

to facilitate and catalyse the implementation of the Act in true spirit. This, the Commission believes, will help the citizens and as well as the Departments in a large way Therefore we are inclined to pass the direction to the nodal department, which is Respondent No. 4 in the present complaint.

10. In addition, since the Complainant did not press for prayer no. (d) of the complaint , we are not inclined to invoke any of our right under sec 20 of RTI Act. Consequently we dispose the present complaint with the following order:-

a) Respondent No. 1, Indian Red Cross Society, Goa State is directed to intimate the name of the Public Information officer and the First Appellate Authority to Department of Information and Publicity, i.e. Respondent No. 4 in this complaint within 15 days from the receipt of the Order.

b) Respondent No. 4, Department of Information & Publicity, being the nodal department, is directed to compile the list of all the Public Information Officers and First Appellate Authorities through the respective Head of Departments with details such as name, designation, office address, email id, phone number and jurisdiction of PIO and FAA within four months of the receipt of this order.

Complaint stand dismissed.

Proceedings closed.

Pronounced in open court.

Notify the Parties.

Sd/-

**(Sanjay N. Dhavalikar)**

State Information Commissioner

Sd/-

**(Vishwas R. Satarkar)**

State Chief Information Commissioner

