

**GOA STATE INFORMATION COMMISSION**

“Kamat Towers” 7<sup>th</sup> Floor, Patto Plaza, Panaji, Goa – 403 001

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**CORAM: Shri Sanjay N. Dhavalikar, State Information Commissioner**

**Complaint No. 18/2022/SIC**

Avelino Menino Furtado,  
A-204, Allan Villa, Kalina Church Road,  
Kalina, Santa Cruz (E) Mumbai 400029.

-----Complainant

**v/s**

1. The Public Information Officer,  
Directorate of Public Grievance,  
4<sup>th</sup> Floor, Udyog Bhavan,  
Panaji-Goa 403001.

2. The First Appellate Authority,  
Office of the Director (Public Grievance),  
Directorate of Public Grievance,  
4th Floor, Udyog Bhavan,  
Panaji-Goa 403001.

-----Opponents

Filed on:-04/05/2022  
Decided on: 29/07/2022

**Relevant dates emerging from appeal:**

RTI application filed on	: 24/02/2022
Application transferred on	: 04/03/2022
PIO replied on	: 11/04/2022
First appeal filed on	: 25/04/2022
First Appellate authority order passed on	: Nil
Complaint received on	: 04/05/2022

**ORDER**

1. Aggrieved by non furnishing of the information by PIO and non disposal of the first appeal by FAA, the complainant filed complaint under section 18 of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') against Opponent No.1, Public Information Officer (PIO) and Opponent No. 2, First Appellate Authority (FAA), which came before the Commission on 04/05/2022.
2. The complainant herein vide application dated 24/02/2022 had sought certain information from the PIO. Upon receiving no information, he filed appeal dated 25/04/2022 under Section 19 (1) of the Act. As contended by the appellant he was not provided the particulars of the FAA by the PIO, hence he requested the PIO to transfer the first appeal to the concerned authority. Later, on 04/05/2022 the complainant preferred this complaint before the Commission.

3. Notice was issued to the concerned parties for the hearing on 14/06/2022, however none from the either side appeared. Another opportunity was given to the complainant as well as opponents to appear on 05/07/2022, yet none remained present. Submission from the complainant was received in the registry on 25/05/2022.
4. After perusal of the complaint memo it is seen that the application of the complainant was transferred vide letter dated 04/03/2022 by the PIO of Directorate of Public Grievances to the PIO of the office of the Under Secretary (P.G.), Department of Public Grievances, Secretariat Porvorim-Goa. Further, the said application was transferred to the Additional Collector-II, South Goa and then to the Deputy Collector (Revenue), South Goa and then to the Deputy Collector & S.D.O., Salcete, Margao-Goa.
5. Shri. Prasad G. Volvoikar, Deputy Collector & S.D.O. (PIO) vide letter dated 11/04/2022 intimated the complainant that the information sought does not come under purview of Section 2(f) of the Act, however the complainant may inspect the concerned file and identify the relevant documents, on any working day.
6. Upon further perusal of the appeal memo, it is seen that the complainant, being aggrieved by non-furnishing of the information, under Section 19(1) of the Act preferred appeal dated 25/04/2022. The said appeal was filed before the PIO of Directorate of Public Grievances with a request to transfer the appeal before the FAA, since he was not provided by the PIO the particulars of the appellate authority.
7. Here, the Commission observes that though the application for information was filed before the PIO, Directorate of Public Grievances, the reply was furnished by the PIO, Deputy Collector & S.D.O., Margao –Goa since the application was transferred to him. Hence the aggrieved complainant was required to file appeal under Section 19(1) of the Act, for denial of the information, before the appellate authority of the office of the Collectorate, South Goa, Margao-Goa and not before the appellate authority of Directorate of Public Grievances. Similarly, the complaint under Section 18 of the Act was required to be filed against the PIO and the FAA of the office of the Collectorate, South Goa, Margao-Goa. The opponent PIO and FAA in the present matter are wrongly impleaded as opponents, hence no order can be issued against the said opponents.

8. In the light of above discussion, the Commission concludes that the present complaint is bereft of merit and hence the same is disposed as dismissed.

Proceeding stands closed.

Pronounced in the open court.

Notify the parties.

Authenticated copies of the order should be given to the parties free of cost.

Aggrieved party if any, may move against this order by way of a Writ Petition, as no further Appeal is provided against this order under the Right to Information Act, 2005.

Sd/-

**Sanjay N. Dhavalikar**

State Information Commissioner  
Goa State Information Commission  
Panaji - Goa

