

**GOA STATE INFORMATION COMMISSION**

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

**Appeal No. 104/2023/SIC**

Mrs Ovetta Desouza,  
R/o. H.No.23,Sukhbhat,  
Arossim, Cansaulim 403712.

-----Appellant

**v/s**

1. First Appellate Authority,  
SE-I (S), Margao,  
Office of the Superintending Engineer,  
Electricity Circle- I,  
Electricity Department, Aquem, Margao.

2. The State Public Information Officer,  
Executive Engineer,  
Electricity Department,  
Div- IV, Aquem, Margao-Goa.

-----Respondents

**Relevant dates emerging from appeal:**

RTI application filed on	: 04/01/2023
PIO replied on	: 17/01/2023
First appeal filed on	: 08/02/2023
First Appellate Authority order passed on	: 15/03/2023
Second appeal received on	: 28/03/2023
Decided on	: 17/07/2023

**ORDER**

1. The appellant under Section 6 (1) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') had sought certified copies with respect to electricity connection in the name of Shri. Jose Barreto. Being aggrieved by the reply of Respondent No. 2, Public Information Officer (PIO), appellant filed first appeal which was disposed by the Respondent No. 1, First Appellate Authority (FAA) vide order dated 15/03/2023. Not satisfied with the decision of the FAA, the appellant has appeared before the Commission by way of second appeal against both the respondents.
2. Notice was issued, pursuant to which Shri. Diogo J. Coutinho, PIO and Shri. Rajiv R. Sawant, FAA appeared in person. PIO filed reply dated 07/06/2023 and affidavit on 28/06/2023. Appellant appeared in person praying for information.
3. PIO stated that upon receipt of the application, search was undertaken, however, the relevant documents were not found, accordingly, the appellant was informed well within the stipulated period. Further, as per the direction of the Commission, rigorous

efforts by deploying additional manpower were made to trace the documents, yet no documents could be traced. The said electricity connection was released in 1975 and documents pertaining to the same are lost/ misplaced and police complaint has been filed in the Margao Town Police Station.

4. Appellant submitted that, the claim of missing of the documents has no legality as the same is not recognized as an exemption by the Act. The public authority is required to hold the records in the custody and PIO has to furnish the information desired by the applicant. On the contrary, the respondents have caused stress to the appellant by making her run pillar to post for getting the information.
5. Upon perusal it is seen that, the appellant had sought certified copies with respect to electricity connection no. CA-60002459547 issued to Shri. Jose Barreto. The said connection was released by the Electricity Department in the year 1975. PIO alongwith APIO and subordinate staff searched the records only to find that the relevant documents are not traceable. Accordingly, PIO had informed the appellant. Further, FAA while disposing the first appeal upheld the say of the PIO.
6. In the background of these facts during the present proceeding the Commission directed the PIO to undertake yet another search. Search was carried out, still PIO unable to trace the information. Later, APIO vide letter dated 25/05/2023 requested the Police Inspector of Margao Town Police Station to register a complaint in the matter of misplacement of the documents pertaining to electricity connection CA No. 60002459547 issued to Shri. Jose Barreto. Further, PIO also filed before the Commission an affidavit dated 15/06/2023 stating that even after rigorous search the relevant documents could not be located and APIO has lodged a police complaint in the said matter.
7. Upon perusing the above mentioned facts the Commission finds that, the information sought by the appellant vide application dated 04/01/2023 is not traceable in the records of the public authority. Hence, the PIO cannot be directed to furnish the said information and the appellant cannot be granted any relief.
8. Thus, the appeal is disposed accordingly and the 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.