

**GOA STATE INFORMATION COMMISSION**

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

Tel: 0832 2437880 E-mail: [spio-gsic.goa@nic.in](mailto:spio-gsic.goa@nic.in) Website: [www.scic.goa.gov.in](http://www.scic.goa.gov.in)

---

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

**Appeal No. 156/2023/SIC**

Adv. Atish P. Mandrekar,  
“Swayambhoo”,  
H. No. 549/C,  
Vodlem Bhat Taleigao,  
Panaji-Goa 403002.

-----Appellant

**v/s**

1. The Public Information Officer,  
Directorate of Education,  
Alto, Porvorim-Goa.

2. The First Appellate Authority,  
Directorate of Education,  
Porvorim, Bardez-Goa.

-----Respondents

**Relevant dates emerging from appeal:**

RTI application filed on	: 09/01/2023
PIO replied on	: Nil
First appeal filed on	: 09/03/2023
First Appellate Authority order passed on	: Nil
Second appeal received on	: 12/05/2023
Decided on	: 14/08/2023

**ORDER**

1. Appellant, being aggrieved by no response to his RTI application seeking information and no disposal of the first appeal, has approached the Commission under Section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') by way of second appeal, against Respondent No. 1, Public Information Officer (PIO) and Respondent No. 2, First Appellate Authority (FAA).
2. The brief facts of this matter, as contended by the appellant are that, he had sought information on 16 points including inspection of records. That, he preferred first appeal against deemed refusal by the PIO, however, the appeal was not decided by the FAA within the mandatory period. Hence, he was compelled to appear before the Commission to get the information and also inspection of relevant records.
3. The concerned parties were notified, pursuant to which, the appellant appeared praying for information and inspection of relevant documents. PIO as well as FAA showed no presence initially,

however, on 19/07/2023 Shri. Cajetan Fernandes, PIO appeared in person and undertook to furnish complete information to the appellant. Also, PIO apologised for the delay and submitted that such delay will not occur in future.

4. Shri. Cajetan Fernandes, PIO vide submission received in the entry registry on 01/08/2023 stated that vide letter dated 25/07/2023 he has furnished the documents / information as desired by the appellant and the same has been received and acknowledged by the appellant on 26/07/2023. PIO also requested that the delay in submitting the information may kindly be condoned as the delay was not deliberate.
5. The Commission observes that, though the information was not furnished within the stipulated period, PIO has finally provided the desired information to the appellant and has submitted satisfactory justification for the delay. Also, the appellant has received and acknowledged the information. Thus, the Commission finds no malafide in the action of the PIO, and notes that the delay in furnishing, the information was not intentional or deliberate.
6. At the same time the Commission finds that although the information has been furnished, PIO is required to provide inspection of relevant documents as sought by the appellant and furnish any additional information with respect to his application, if identified by the appellant during the inspection.
7. Thus, the present appeal is disposed with the following order:-
  - (a) Appellant if desires may undertake inspection as sought vide application dated 09/01/2023, within 10 days from receipt of this order, with prior intimation to the PIO.
  - (b) PIO is directed to provide inspection if requested by the appellant as mentioned above and furnish copies identified by the appellant, with respect to his application, within 02 days from the day of inspection, free of cost.
  - (c) All other prayers are rejected.

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.