

**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)

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

**Appeal No. 236/2022/SIC**

Shri. Budho Arjun Gaonkar,  
Resident of H.No. 141, Borkotem,  
Mollem, Dharbandora-Goa.

-----Appellant

**v/s**

1. The PIO/ The Deputy Conservator of Forest,  
Planning and Statistics/ Deputy Director (Administration),  
O/o Principal Chief Conservator of Forest,  
Goa Van Bhavan, Old IPHB Complex,  
Altinho, Panaji-Goa.

2. The PIO/ Deputy Conservator of Forest,  
Wildlife and Eco Tourism Division (North),  
Panaji-Goa.

3. The PIO/ Deputy Conservator of Forest,  
North Goa Division, Ponda-Goa.

4. The FAA/ Conservator of Forest,  
Forest Department, Altinho,  
Panaji-Goa.

-----Respondents

**Relevant dates emerging from appeal:**

RTI application filed on	: 07/03/2022
Application transferred on	: 10/03/2022
PIO replied on	: 01/04/2022, 08/04/2022, 13/04/2022
First appeal filed on	: 04/05/2022
First Appellate Authority order passed on	: 07/06/2022
Second appeal received on	: 29/08/2022
Decided on	: 27/03/2023

**ORDER**

1. The second appeal filed by the appellant under Section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') against Respondent No. 1, Public Information Officer (PIO), Deputy Conservator of Forest, Planning and Statistics, Respondent No. 2, Public Information Officer (PIO), Deputy Conservator of Forest, Wildlife and Eco Tourism Division, Respondent No. 3, Public Information Officer (PIO), Deputy Conservator of Forest, North Goa Division and Respondent No. 4, First Appellate Authority, Conservator of Forest, Forest Department, Altinho, Panaji, came before the Commission on 29/08/2022.
2. The brief facts of this appeal, as contended by the appellant are that, reply which he received from the PIO was incorrect, misleading and incomplete. PIO refused to provide part information, hence, he filed

appeal before the FAA. That, FAA while disposing the appeal failed to direct the PIO to furnish complete information. Being aggrieved, he has appeared before the Commission by way of second appeal.

3. Pursuant to the notice, Shri. H.B. Khedekar, Shri. Anand Jadhav and Shri. Vishwas Chodankar appeared for Respondent No.1, 2 and 3 respectively. Respondent No. 1, PIO filed reply on 02/11/2022. Respondent No. 3, PIO filed reply on 02/11/2022 and compliance report on 02/02/2023. Advocate Omkar Kulkarni and Advocate Siddhi Naik appeared on behalf of the appellant and pressed for the remaining information.
4. Respondent no. 1, PIO stated that, since the information sought by the appellant was likely to be held by other PIOs, he transferred the application to Respondent no. 2 and 3 and vide reply dated 01/04/2022 furnished information on point no. 4, to the appellant on payment of Rs. 46/-.
5. Respondent no. 3, PIO submitted that, the FAA had passed an order directing the PIO to allow the appellant to inspect the files and provide the information. However, appellant failed to visit PIO's office, therefore, appellant may be directed to approach the PIO, Deputy Conservator of Forest, North Goa Division for inspection of the concerned files.
6. Upon perusal it is seen that, the appellant vide application dated 07/03/2022 had sought information on seven points. Respondent no. 1, PIO transferred the application under Section 6 (3) of the Act to Respondent no. 2 and 3 (PIOs) and furnished information on point no.4, which was available in his office. Appellant was aggrieved, as he was not furnished the complete information and filed appeal before the FAA. FAA while disposing the appeal had directed the PIO to provide inspection of the relevant files to the appellant, so that the requested information can be identified and furnished.
7. The FAA had held that, certain information sought by the appellant can be provided only after the appellant undertakes inspection of relevant files and had opined that appellant should be given the information by way of allowing him to inspect the record in the office of the PIO.
8. However, it is observed that the appellant did not approach, nor visited the office of the PIO to carry out inspection of the records. Hence, no information could be identified and no information could be furnished to the appellant.

9. On this background during the present proceeding on 21/12/2022 the Commission directed Respondent no. 3, PIO to provide for inspection of the available records. PIO and Advocate Omkar Kulkarni, on behalf of the appellant agreed to undertake inspection on 23/12/2022 at 11.00 a.m. Later, on 13/01/2023, another inspection was undertaken by the appellant alongwith the PIO and certain documents were identified by the appellant.
10. Respondent no. 3, PIO vide letter dated 25/01/2023 furnished the appellant whatever information that was identified during the inspection, and on 02/02/2023 filed compliance report before the Commission. Opportunity was provided to the appellant to verify and acknowledge the said information before the Commission, however the appellant on both occasion, i.e. 02/02/2023 and 23/02/2023 remained absent.
11. This being the case, the Commission finds that the desired information has been furnished to the appellant, hence no more intervention of the Commission is required in the present matter.
12. Thus, the present appeal is disposed with the following order:-
  - a) Appellant, if desires, may collect the information furnished by the Respondent no. 3, PIO, within 10 days from the receipt of this order, from the Registry.
  - b) All other prayer 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

