

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

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Appeal No. 67/2024/SCIC

Shri Tulsidas Morajkar,
H. No. 172, Dando,
Sanguem Goa 403704.

-----Appellant

V/s

1.The Public Information Officer,
Executive Engineer W.D XX,
Public Works Department,
Fatorda, Goa.

2.The First Appellate Authority,
Superintendent Surveyor of Works,
Public Works Department,
Altinho, Panaji-Goa.

-----Respondents

Shri. ARAVIND KUMAR H. NAIR - State Chief Information Commissioner, GSIC

Relevant Facts Emerging from the Appeal

RTI application filed on	- 10-08-2023
PIO replied on	- 31-08-2023
First Appeal filed on	- 27-09-2023
First Appellate order on	- 21-11-2023
Second appeal received on	- 12-03-2024
Decision in the Second Appeal on	- 27-03-2025

Information sought and background of the Appeal

- Shri Tulsidas Morajkar filed an RTI application dated 10/08/2023 to the PIO, W.D. XX, PWD, Sanguem seeking following information:
 - Copies of all bills generated by Public Works Department, Sanguem for Consumer ID 39041434 from 01/01/2017 to 31/07/2023 (water supply bills).*

- ii. *Copy of consumer account statement (if any) for consumer Id 39041434 from 01/01/2017 to 31/07/2023.*
 - iii. *Copy of all documents/reports drawn up with date of institution of new water meter by PWD for consumer ID 39041434.*
 - iv. *Copies of all applications/complaints received by PWD, Sanguem for consumer ID 39041434 from the date of installation till 31/07/2023.*
 - v. *Copy of the documented procedure followed by your good officer upon receipt of a complaint of billing grievance.*
 - vi. *Copy of documented "turn around time within which any grievance with regard to billing has to be rectified".*
2. In response to the RTI application, the PIO (Executive Engineer W.D XX, (PHE), PWD, Fatorda) vide letter dated 31/08/2023 furnished information covering all 6 points in the RTI application with few enclosures.
 3. Dissatisfied with the reply received from the PIO, Appellant filed first appeal dated 27/09/2023 to the First Appellant Authority (SSW/PWD) stating that information sought under the application at Point No.3, 4, 5 and 6 have not been furnished.
 4. During the hearing in first appeal, Respondent PIO admitted that information in respect Point No. 3 could not provide as the file pertaining to that information is 20 years old and same is not traceable. FAA vide order dated 21/11/2023, directed the Respondent PIO to furnish reply to the Appellant within 15 days.
 5. Subsequently, Appellant preferred Second Appeal dated 12/03/2024 before the Commission stating that Respondent PIO refused to provide information although the information is maintained at the public office.

Moreover, Respondent PIO has not obliged to the order of the FAA dated 21/11/2023.

6. Appellant prayed before the Commission to direct the Respondent PIO to furnish information sought under RTI application dated 10/08/2023, impose fine on the PIO, file an affidavit if information sought is not maintained at the office of the PIO and also direct the Respondent PIO to file an FIR, if the information sought is misplaced.

FACTS EMERGING IN COURSE OF HEARING

7. Pursuant to the Second Appeal, parties were notified fixing the matter for hearing on 28/01/2025 for which Appellant and Respondent PIO (Executive Engineer) appeared in person. Respondent PIO submitted that he made all effort to furnish the required information but since the said file is old he could not trace it. Commission directed the Respondent PIO to make a thorough search to trace the concerned file to provide information as sought by the Appellant.
8. When the matter was taken up for hearing on 06/02/2025, Adv. Joshua Gracias appeared on behalf of the Appellant. Commission has directed the Respondent PIO to give clarification in respect of Point No.4,5 and 6 in the RTI application and also to file Police Complaint to register on FIR if the file pertaining to the information sought at Point No.3.
9. The matter was taken up for further hearing on 24/02/2025 for which Adv. Joshua Gracias appeared on behalf of the Appellant and Respondent PIO filed a revised reply dated 24/02/2025, as directed by the Commission, along with 2 pages (2564 and 2565) of Official Gazette of Government of Goa, Series 1. No.39 dated 28/12/2023 for the

Appellant, who, however submitted that he is not satisfied with the information provided to Point No. 3 of the RTI application.

10. Respondent PIO in his reply to Point No.3 is mentioned as "*still if not satisfied with the reply you are requested to visit this office on a convenient date with prior intimation to inspect the files and collect the required information*". Accordingly, Commission directed the Appellant to inspect the concerned file on a mutually convenient date and collect desired information.

11. Matter was taken up for final hearing today i.e. 27/03/2025. Respondent PIO was absent but Appellant's representative Adv. Sangeeta Kaur appeared and submitted in writing that "*the Appellant is withdrawing the present Appeal No.67/2024/SCIC as the matter between the parties to the Appeal have been settled*".

DECISION

As the Appellant's authorised Representative Adv. Sangeeta Kaur filed a written statement dated 27/03/2025 that Appellant is withdrawing his appeal, Commission disposed off Appeal No.67/2024/SCIC today i.e. 27/03/2025 as 'withdrawn'.

- Proceeding stands closed.
- Pronounced in open Court.
- Notify the parties.

Sd/-

(ARAVIND KUMAR H. NAIR)
State Chief Information Commissioner, GSIC

