

**GOA STATE INFORMATION COMMISSION**  
"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001  
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**Appeal No. 09/2024/SCIC**

Shri Gaurav Bakshi,  
B-402, Martins Palm Fringe,  
Cardozo Waddo,  
Taleigao, Caranzalem-Goa 403002. -----Appellant  
V/s

1.The Public Information Officer,  
Goa Electronics Limited,  
Panaji-Goa.  
2.The First Appellate Authority,  
Goa Electronics Limited,  
Panaji-Goa -----Respondents

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

**Relevant Facts Emerging from the Appeal**

<b>RTI application filed on</b>	- 27/07/2023
<b>PIO replied on</b>	- 25/08/2023
<b>First Appeal filed on</b>	- 05/09/2023
<b>First Appellate order on</b>	- 10/10/2023
<b>Second appeal received on</b>	- 09/01/2024
<b>Decision of the Second Appeal on</b>	- 08/07/2025

**Information sought and background of the Appeal**

- Shri Gaurav Bakshi filed an application dated 27/07/2023 under RTI Act, 2005 to the PIO, Goa Electronics Ltd. (GEL) seeking :
  - List of services provided by Goa Electronics Limited.*
  - All the fields required and maintained in the system by Goa Electronics Limited for providing the respective services.*
- In response to the RTI application, PIO, Goa Electronics Limited vide letter dated 25/08/2023 replied to the Appellant furnishing 14-page list of 247 services being provided to 43 departments of the Goa State Government (in respect of Point No.1 in the RTI application) and furnishing the below mentioned reply with regard to Point No.2 of the RTI application: "*The software application for the respective services is designed and developed as per the work order/Agreement with the concerned department. The data of the fields*

*scored for each service and its processes is internal to the system and as such cannot be shared."*

3. Being aggrieved by the reply/information furnished by the PIO, Appellant filed first appeal dated 05/09/2023 before the First Appellate Authority (FAA) stating that Respondent PIO has not furnished information sought at Point No.2 of his RTI application dated 27/07/2023 and the PIO has misconstrued the application. According to the Appellant, he has never sought the data of fields but only the names of the fields.
4. Since the Respondent PIO has produced copy of some MOUs between Goa Electronics Limited and Departments indicating that Goa Electronics Limited shall not share any information of whatsoever nature to any third party, FAA (Managing Director, GEL) vide order dated 10/10/2023 directed the Appellant *"to approach respective departments as per list provided by the PIO vide letter dated 25/08/2023 to obtain relevant information as per Appellant's requirement"*.
5. Subsequently Appellant preferred Second appeal dated 09/01/2024 before the Commission stating that :
  - i. PIO has failed to provide information sought at Point No.2 of his RTI application.
  - ii. Appellant has sought only list of Services and the fields required and maintained by Goa Electronics Limited.
  - iii. Appellant has not sought to know any process which is internal to the system.
  - iv. FAA has failed to appreciate the first appeal in the correct perspective and FAA's order lacks application of mind.

Appellant prayed before the Commission to direct the Respondent PIO to furnish the desired information.

### **FACTS EMERGING IN COURSE OF HEARING**

6. Pursuant to the filing of the present appeal, parties were notified fixing the matter for hearing on 13/02/2024 for which Respondent PIO and the FAA

present but none present for Appellant. Matter adjourned to 18/03/2024 but no hearing held in the appeal from March 2024 to September 2024 as the post of SCIC and SIC remained vacant during that period.

7. Matter was taken up for hearing before the SCIC on 23/10/2024 for which Appellant appeared in person but Respondents were absent. Issued notice to the Respondents for presence in the next date of hearing, 26/11/2024. Appellant as well as Respondents remained absent for the hearing held on 26/11/2024 and matter posted to 28/04/2025.
8. When the matter took up for hearing on 28/04/2025, Respondent PIO and FAA present in person but Appellant remained absent. During the proceedings, Presiding Commissioner directed the Respondent PIO to file submission and fixed the matter for further hearing on 22/05/2025. Off late, Appellant appeared and noted the next date of hearing, i.e. 22/05/2025.
9. During the hearing on 28/04/2025 , Respondent PIO submitted that :
  - a. The software application is designed and developed by Goa Electronics Limited as per requirements of the Departments towards the respective services.
  - b. The fields designed in the software application for capturing data is internal to the system and is confidential as well as sensitive in nature and as such cannot be shared to any third party being the property of the department.
  - c. Goa Electronics Limited acts as a service provider to various department and the software application designed, developed and managed by Goa Electronics Limited is as per the terms and conditions indicates in the MoU/work order issued to Goa Electronics Limited. However, the rights of sharing any information of the data of whatsoever nature of the respective services exclusively remain with the departments.
10. When the matter took up for hearing on 22/05/2025, Appellant and Respondent PIO remained absent. Respondent PIO however telephonically informed the Registry about his unavailability owing to a religious function

at his residence and sought a short date. Accordingly, matter posted on 27/05/2025.

11. When the matter called out for hearing on 27/05/2025, Appellant and Respondent present. Respondent PIO filed a written submission dated 28/04/2025 stating that :
- i. The Appellant was provided with list of Services provided by Goa Electronics Limited (Reply to Pointy No.1 of RTI application dated 27/07/2023).
  - ii. With regard to Point No.2 of the RTI application, it is to inform that there are 43 departments whose 247 services are available digitally through portal [www.goaonline.gov.in](http://www.goaonline.gov.in). The information of fields names cannot be shared as it is internal to the system.
  - iii. Since all the above said 247 services are digitally available online through the portal[www.goaonline.gov.in](http://www.goaonline.gov.in). in the public domain, the Appellant can obtain/refer to the field names for any specific services he desires or for all the services through the above said portal.
  - iv. Respondent PIO has submitted print out copies of online applications forms of following three departments, as sample containing the details of the field names–

Sr. No.	Department	Services/Application name
1.	Directorate of Fire and Emergency Services	- Initial NOC Services
2.	Directorate of Vigilance	- Complaint Registration.
3.	Revenue Department	- Residence Certificate.

12. Matter took up for final hearing on 08/07/2025.During the final hearing, Respondent PIO maintained that since GEL is only a service provider to various government departments, Goa Electronics Limited is bound to protect the interest, trust and confidentiality to service seekers.

Moreover, in the MoU between Goa Electronics Limited and Departments or work order issued to Goa Electronics Limited by various Departments, the software applications are designed as per terms and conditions which clearly established that sharing any information of the data of the services extended by the Goa Electronics Limited exclusively remains with

the departments. Hence, Goa Electronics Limited is not in a position to furnish the information pertaining to the fields to the Appellant. According to the Respondent PIO, in order to furnish the information sought by the Appellant, Goa Electronics Limited needs to create new software which is practically not possible as the Goa Electronics Limited needs to obtain sanction from all its service seekers, who will undoubtedly oppose as it is against the terms and conditions of MoU as well as work orders between Goa Electronics Limited and service seekers.

### **DECISION**

- i. **Considering the aforesaid facts and circumstances and submission placed by the Respondent PIO, Commission is of the view that the Goa Electronics Limited, being a service provider, morally and legally bound to protect the larger interest, which includes privacy, secrecy and confidentiality of the service seekers, and hence, naturally there are restrictions on Goa Electronics Limited in furnishing all the fields required and maintained by the Goa Electronics Limited for their service seekers.**
- ii. **Hence, Commission cannot direct the Respondent PIO of Goa Electronics Limited to create a new software to cater the RTI requirement of the Appellant, who is at liberty to seek the sought information from the departments whose list is already provided to the Appellant by the Respondent PIO.**

*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.*

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

Sd/-

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

