

GOA STATE INFORMATION COMMISSION

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

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Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 378/2023/SIC

Shri. Nazareth Baretto,
H. No. 126, Borda,
Margao, Salcete-Goa 403601.

-----Appellant

v/s

1.The Public Information Officer,
Office of the Executive Engineer,
Electricity Office, Division 04, Margao,
Salcete-Goa 403602.

2. Rajiv R. Samant,
First Appellate Authority,
Superintending Engineer- I (S)
Electricity Aquem, SE-I (S), Margao-Goa.

----Respondents

Relevant dates emerging from appeal:

RTI application filed on	: 07/07/2023
PIO replied on	: 18/08/2023
First appeal filed on	: 01/09/2023
First Appellate Authority order passed on	: 15/09/2023
Second appeal received on	: 16/10/2023
Decided on	: 27/02/2024

ORDER

1. The second appeal filed by the appellant under Section 19 (3) of the Right to Information Act, 2005, against Respondent No. 1, Public Information Officer (PIO) and Respondent No. 2, First Appellate Authority (FAA), which came before the Commission on 16/10/2023.
2. The brief facts of the present appeal, as contended by the appellant are that, he had sought information on eight points, however, received only part information. Further, he filed first appeal before the FAA. It is the contention of the appellant that, being aggrieved by the action of PIO and disposal by the FAA, he has approached the Commission for complete information and appropriate direction to the respondents.
3. Pursuant to the notice, Shri. Diago Coutinho, PIO appeared in person and filed reply dated 21/12/2023 and 21/02/2024. Shri. Santosh Sawant and Shri. Santana C. Sliva appeared for FAA, under authority letter and filed reply on 21/12/2023 and 30/01/2024. Appellant appeared in person and filed submission dated 15/01/2024. A set of

documents, with respect to the correspondence by the PIO, received by the appellant was submitted in the entry registry dated 27/02/2024.

4. During the proceeding, it was noted that, the PIO has furnished part information which was available in his records and that, he is required to furnish information on point no. 1 and transfer the application to the South Goa Planning and Development Authority with respect to information on point no. 2 and 7 of the application.
5. Accordingly, on 30/01/2024, the Commission directed PIO to undertake search of his records and furnish information on point no. 1. The PIO was also directed to transfer the application with respect to point no. 2 and 7 to the PIO of South Goa Planning and Development Authority, Margao-Goa.
6. It is seen that the PIO vide letter dated 01/02/2024 has transferred the application with respect to point no. 2 and 7, to the South Goa Planning and Development Authority, Margao-Goa. Further, vide reply dated 21/02/2024, PIO has furnished information as available on point no. 1, desired by the appellant, vide application dated 07/07/2023.
7. The Commission finds that, the PIO has furnished the information upon carrying out rigorous search and has complied with the directions. The PIO had never denied any information, hence, no penal action needs to be initiated against him and the matter is required to be disposed accordingly.
8. Thus, the present appeal is disposed with the following order:-
 - a) PIO is directed to dispatch the information by Registered AD Post, sought by the appellant vide application dated 07/07/2023, within 07 days from receipt of this order, free of cost.
 - b) PIO is directed to file compliance report before the Commission, within 10 days from receipt of this order.

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.