GOA STATE INFORMATION COMMISSION
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Appeal No. 181/2023/SCIC

Shri. Navin Shirodkar,
CS1, Mystical Rose Apartment,
Dicarpali, Davorlim,
Salcete-Goa ---- Appellant

V/s

1. The Public Information Officer (PIO),
   Directorate of Art and Culture,
   Panaji-Goa

2. The First Appellate Authority (FAA),
   Directorate of Art and Culture,
   Panaji-Goa ------- Respondents

Shri. Viswas Satarkar, State Chief Information Commissioner

Filed on: 26/05/2023
Decided on: 03/01/2024

O R D E R

1. The Appellant, Shri. Navin Shirodkar, R/o. CS-1, Mystical Rose Apartment, Dicarpali, Davorlim, Salcete Goa, vide his application dated 23/01/2023 filed under section 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as Act), sought following information from the Public Information Officer (PIO), Directorate of Art and Culture Panaji-Goa

   "*Kindly provide information asked under Right to Information Act, 2005.*

   Name of Govt. Office - Directorate of Art and culture

   Date of Complaint – 05/12/2022

Subject of Complaint – Candidate selected without essential qualification.

1) *Whether any action taken on letter dated 05/12/2022 to the Director, Directorate of Art and Culture (attached letter for your reference).*
2) *If action taken kindly provide the status of Action taken .*
3) *In case no action taken on my complaint dated 05/12/2002, please inform me the name of officer and staff responsible, but failed to take action on my above mentioned complained dated 05/12/2022*."

2. The said application was responded by the PIO on 17/02/2023, informing the Appellant to collect the information, by making requisite payment, from the office of PIO at Panaji.

3. Upon receipt of the reply, the Appellant by paying the requisite fee of Rs. 2/- collected the information from the PIO on 06/04/2023.

4. Being aggrieved and not satisfied with the information provided by the PIO, the Appellant filed first appeal before the Director, Directorate of Art and Culture, at Panaji-Goa on 03/03/2023, being the First Appellate Authority (FAA).

5. The FAA, vide its order, upheld the reply of the PIO and disposed off the first appeal on 20/04/2023.

6. Not satisfied with the order of the FAA dated 20/04/2023, the Appellant landed before the Commission, by this second appeal under section 19(3) of the Act.

7. Notices were issued to the parties, pursuant to which, representative of the PIO Shri. Raju Gaonkar appeared and produced on record the copy of the notified Recruitment Rules, with regards to the post of Accompanists and subsequently filed his reply on 04/08/2023. The representative of the FAA, Shri. Devidas Kerkar appeared and placed on record the reply of the FAA dated 19/10/2023 alongwith the copy of the order/rojnama of the FAA.

8. In the course of arguments, the Appellant submitted that, the Directorate of Art and Culture has recruited Ms. Additi Morajkar for the post of Accompanist in OBC Category on 06/08/2019, however according to the Appellant she did not possess required qualification and being so, he filed an Complaint before the Director, Directorate of Art and Culture, Panaji-Goa on 05/12/2022 for the alleged illegality in the recruitment process and demanded to initiate an inquiry in the matter. And in order to know the outcome of his Complaint dated 05/12/2022, he filed RTI application on 23/01/2023 asking the status/ action taken on his Complaint.

9. The representative of the PIO submitted that, the recruitment has been done as per the Recruitment Rules and the official record of the Public authority did not show any complaint received on 05/12/2022.

10. The Appellant elaborated that he has filed Complaint before the Public authority through registered post and dispatched on 05/12/2022, and it is probable that the office of the Public authority may have received said complaint on 06/12/2022. The APIO admitted that he received the complaint on 06/12/2022. The Commission, therefore, directed the APIO

to locate the information with regards to the Complaint received from the Appellant on 06/12/2022 and provide the information on next date of hearing and matter fixed for compliance on 03/01/2024

11. In the course of hearing on 03/01/2024, the APIO Raju Gaonkar appeared and submitted that upon receipt of the Complaint on 06/12/2022, the Public authority issued the memorandum to Ms. Aaditi Morajkar on 02/03/2023 and besides this, no information is available in the records of the public authority. To substantiate his claim, he also produced on record the additional reply and the copy of memorandum dated 02/03/2023.

12. Upon receiving the information from the PIO, the Appellant submitted that he is satisfied with the information and that he does not wish to proceed further in the matter. He also made endorsement on the Appeal memo that "I don't want to proceed further".

13. In view of the above endorsement of the Appellant, the matter is disposed off.

- Proceeding closed.
- Pronounced in the open court.
- Notify the parties.

Sd/-

(Vishwas R. Satarkar)
State Chief Information Commissioner,
Goa State Information Commission,
Panaji – Goa