

GOA STATE INFORMATION COMMISSION

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Appeal No. 271/2023/SCIC

Smt. Sumitra Vasu Tari,
H. No. 682/A, Solva ,
Raia, Salcete, Goa 403720

.....Appellant

V/s

1. Public Information Officer (PIO),
Office of the Executive Engineer,
Govt. of Goa, Electricity Department,
Division-IV (O & M),
3rd floor, Vidyut Bhavan, Aquem, Margao,
Salcete-Goa

2. First Appellate Authority (FAA),
Office of the Superintending Engineer,
Elect. Circle-I, Elect. Department, Aquem,
Margao, Salcete-Goa

..... Respondents

Shri. Vishwas Satarkar, State Chief Information Commissioner

Filed on: 04/08/2023

Decided on: 01/02/2024

ORDER

1. The Appellant, Smt. Sumitra Vasu Tari, R/o. H. No. 682/A, Solva, Raia, Salcete, Goa, vide her application dated 28/02/2023 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), Executive Engineer, Electricity Department, Div. IV (O & M), Margao-Goa.

"I the undersigned Mrs. Sumitra Vasu Tari w/o Shri. Vasu Rama Tari, do hereby state that my husband Shri. Vasu Rama Tari was working in your department as a labourer with effect from October 1982 onwards.

Mr. Gokuldas D Naik, who recently retired as lineman/wireman was his colleague, beside Mr. Madhu Naik Labourer and Mr. Raya Naik Tari were also his office Colleague.

My husband retired on superannuation as on 31/01/2018. However, sir, I request you to kindly furnish attendance for the period from October 1982 to August 1990. Any charges/expenses to furnish this information will be paid by me."

2. The said application was responded by the PIO on 16/03/2023 in the following manner:

"With reference to your application cited above, this is to inform you that the documents sought by you are not available on record as the Assistant Public Information Officer concerned has reported that the attendance for the period from October 1982 to August 1990 is not traceable."

3. Feeling aggrieved with the reply of the PIO, the Appellant filed first appeal before the Office of Superintending engineer, Electricity Department, Vidyut Bhavan, Margao, Goa on 27/03/2023, being the First Appellate Authority (FAA).

4. The FAA, vide its order dated 05/06/2023, allowed the first appeal and directed the PIO to verify the records from the office of the Chief Electrical Engineer with regards to the official NMR service records of Vasu Rama Tari, and intimate to the Appellant within the period of 20 days.
5. Since the PIO failed and neglected to provide the information, the Appellant landed before the Commission by this second appeal under Section 19(3) of the Act.
6. Notices were issued to the parties, pursuant to which, the Appellant appeared, alongwith her representative Gurudas Sawant, on 03/10/2023, the PIO, Diago Coutinho appeared and filed his reply on 08/11/2023, the FAA Shri. Rajiv Sawant appeared and filed his reply on 08/11/2023.
7. Perused the pleadings, replies, rejoinder and scrutinized the documents on records.
8. It is the case of the Appellant that, her husband Vasu Rama Tari was working with Electricity Department and retired on superannuation on 31/01/2018, however he is deprived of pension benefit for the NMR service rendered by him in the Department and therefore, in order to process his case for availing the pension benefit, she applied for the copy of document with regards to attendance document of Vasu Rama Tari for the period from October 1982 to August 1990. However, according to the Appellant, said information has been denied to her being not traceable.

9. As against this, the PIO, though his reply dated 8/11/2023, submitted that upon receipt of the RTI application, he forwarded same to the office of Sub-Divisional Engineer, Sub-Division-IV, Curtorim, Salcete-Goa and to the Divisional Accountant, Division IV, Margao, Goa in order to procure the information. However, both the above offices replied that attendance register/document is not available in their records, accordingly same was conveyed to the Appellant by reply dated 16/03/2023. He further submitted that, he also complied the order of the FAA and addressed letter to the Dy. Director of Administration, Office of the Chief Electrical Engineer, Panaji on 13/06/2023 requesting them to furnish the information. However, they replied back to the PIO that no such information available in the records of the Office of Chief Electrical Engineer, Panaji-Goa.
10. The FAA, through his reply dated 30/10/2023, contended that, during the first appeal proceeding, he sought the service book of Shri. Vasu Rama Tari for verification. However no endorsement found on service book with regards to the NMR Service of said Vasu Rama Tari. The FAA further contended that, however he come across one Memorandum from Chief Electrical Engineer Office dated 14/06/1990 was addressed to Shri. Vasu R. Tari as Shri. Vasu Rama Tari, NMR. Therefore he instructed the PIO to verify the records from the Office of Chief Electrical Engineer, Panaji-Goa.
11. In the course of hearing on 20/12/2023 the PIO submitted that, staff of Division IV, Margao Goa made a rigorous search of purported information and was able to trace

one document indicating that Shri. Vasu R. Tari, Ex-Assistant Lineman/Wireman has worked as NMR for the period from 1982 till joining as Line helper i.e. 21/08/1990 in Electricity Department and based on said data, the matter is now referred to the Directorate of Accounts, Pension Section, Government of Goa vide letter No. EE-IV/O&M/Estt-PF/1324/2023-24 dated 04/07/2023 for revision of Pensionary benefits, thereby requesting to consider the NMR Service rendered by Shri. Vasu R. Tari. In support of his case, he produced on record the copy of Form-8 dated 04/07/2023 forwarded by Executive Engineer, Electricity Department, Div. IV, Margao Goa to the Directorate of Accounts, Pension Section, Panaji-Goa.

12. In the above background, I have heard the Appellant Smt. Sumitra Tari who submitted that. Since the Office of Electricity Department has already forwarded the pension papers to Directorate of Accounts, Panaji Goa, she does not wish to proceed further in the matter. She also made endorsement on the appeal memo that " I don't want to proceed further in the matter"

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