GOA STATE INFORMATION COMMISSION
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Appeal No.306/2023/SIC

Dr. K.K. Nadkarni,
H.No. Bendwada,
Sanguem-Goa 403704. ...Appellant

V/s

1.The First Appellate Authority,
Goa Tourism Development Corporation(GTDC),
Paryatan Bhavan, Patto,
Panaji-Goa.

2.The Public Information officer,
Goa Tourism Development Corporation (GTDC),
Paryatan Bhavan, Patto,
Panaji-Goa.403001. **…….. Respondents**

Shri. Atmaram R. Barve State Information Commissioner

Filed on: 31/08/2023
Decided on: 05/12/2024

ORDER

1. Appellant K. K. Nadkarni filed his original RTI application before the Public Information Officer (PIO) of GTDC on 24/04/2023 seeking certain information pertaining to file notings letters representation and grievances vide reply dated 19/05/2023.

2. The Public Information Officer (PIO) responded to the said Right to Information (RTI) application asking the Appellant in this matter to be more specific pertaining to the

information sought there in prior to this on 09/05/2023.

3. The General Manager administration of GTDC clarified to the PIO of GTDC that the information sought by the Appellant is not case specific and is vague in nature.

4. Aggrieved by this reply the Appellant preferred the First Appeal dated 02/06/2023 before the First Appellate Authority (FAA) of GTDC.

5. The FAA issued notice dated 19/06/2023 to the parties and fixed the matter for hearing on 23/06/2023.

6. Thereafter in the light of the fact that no order was passed by the FAA the Appellant preferred second appeal dated 31/08/2023 before this Commission thereafter notice was issued to the parties on 25/09/2023 and the matter was taken up on 25/10/2023.

7. In the hearing dated 10/01/2024, the Commission directed the PIO to furnish information and file a reply in addition to the one filed on the same day.

8. Thereafter on 29/01/2024 the PIO filed the additional reply and thereafter there was no further progress in this matter.

9. On account of formal Commissioner demitting office and thereafter the matter was taken up on 24/09/2024.

10. In the meantime the FAA on 07/11/2023 disposed of First Appeal thereby upholding reply of the PIO in this matter.

11. It is noteworthy that the FAA decided the matter even though the same was in knowledge that already second appeal is pending before this Commission.

12. It has been the contention of the Appellant that the PIO of GTDC transfers RTI application to various sub sections of GTDC and that in the instant matter of the subsections have not necessarily provided their reply and as such a stand taken by the PIO is inconsistent and that the information provided is insufficient.

13. However, the PIO has clarified vide reply dated 09/01/2024 that instant application was transferred to the General Manager (Administration) and the same was reiterated in the course of arguments that the General Manager (Administration is the relevant Officer to provide the necessary information in the instant matter.

14. In the course of arguments it was also the contention of the Respondent that the information asked by the Appellant may pertain to matters right from since the date of incorporation of GTDC.

15. However, the Appellant has Contended that his original application pertaining to information sought for a specific period of 1/10/2022 till the date of his application.

16. In the light of the Appeal memo of other material brought on record by the parties and also in the light of the arguments proceeded in this matter.

17. It is clear that the PIO has duly consulted the concerned subsection in his ambit and has responded to the Appellant within the stipulated time span of 30 days seeking more clarity in terms of the information sought.

18. There also seems to be no such efforts on the part of the Appellant to provide more clarity to the PIO in terms of the information sought by him, and as such it cannot be ascertained that the information has been denied.

19. However, this Commission takes a strong cognizance of inordinate delay on the part of

the FAA to decide the first appeal. Such a conduct is against the spirit of RTI act and henceforth the FAA shall take all efforts to decide the first appeal within the stipulated time period and in no manner whatsoever cause an impediment in the implementation of and upholding the spirit of the RTI Act.

20. The Second appeal is hereby disposed off with no order as to cost. Pronounced in the open court. The appeal is dismissed. 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/-

(Atmaram R. Barve)
State Information Commissioner