

**GOA STATE INFORMATION COMMISSION**

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

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**Appeal No. 71/2024/SCIC**

Shri. Ramkrishna G. Dessai,  
R/o H.No. 2983, V.N. Naik Road,  
Chandrawada, Fatorda,  
Margao Goa.  
V/s

-----**Appellant**

1.The Public Information Officer,  
Directorate of Tribal Welfare,  
5<sup>th</sup> Floor Shram Shakti Bhavan,  
Patto, Panaji Goa.

2.The First Appellate Authority,  
Director, Directorate of Tribal Welfare,  
5<sup>th</sup> Floor Shram Shakti Bhavan,  
Patto, Panaji Goa.

-----**Respondents**

**Shri Aravind Kumar H. Nair – State Chief Information Commissioner**

**Relevant Facts of the Appeal**

<b>RTI application filed on</b>	<b>- 05-11-2023</b>
<b>PIO replied on</b>	<b>- 17-11-2023</b>
<b>First Appeal filed on</b>	<b>- 26-12-2023</b>
<b>First Appellate order on</b>	<b>- 01-02-2024</b>
<b>Second appeal received on</b>	<b>- 14-03-2024</b>
<b>Decision of the Second Appeal on</b>	<b>- 18-02-2025</b>

**Information Sought and background of the Appeal.**

1. Shri. Ramakrishna. G. Dessai filed on RTI application dated 05/11/2023 to the PIO, Directorate of Tribal Welfare, Government of Goa seeking following information with regards to Ashram School Project at Moshiphond, Amona, Poinginim Canacona Taluka Goa :
  - i. *Certified copy of MOU/Lease Agreement/Deed of Lease or any other document signed with Balram Education Society, Amona if any at the time of handing over the Ashram School Project.*
  - ii. *Certified copy of 'Noting Sheet' relating to hand over of Ashram School Project Amona, Poinginim to Balram Education Society, Amona, PoinginimCanacona.*

iii. *Certified copy of consent or approval of Ministry of Tribal Affairs, Government of India, New Delhi, if any, to handover the said project to private party or Balram Education Society.*

2. The PIO (Mrs. VeeraV. Nayak, Deputy Director of Tribal Welfare) vide letter dated 17/11/2023 replied as under :

*"With reference to your application dated 05/11/2023, this is to inform you that this Directorate cannot furnish information as the handing over of the Ashram School Project is under process."*

3. Aggrieved by the reply of the PIO, Appellant preferred first appeal dated 26/12/2023 to the First Appellate Authority (FAA/Director-Tribal Welfare, Patto, Panaji) stating that the Respondent PIO is hiding/denying the information and the act of the PIO is totally against the RTI Act, 2005. Appellant prayed for direction to the Respondent PIO to furnish the information sought vide RTI application.

4. FAA vide order dated 01/02/2024 directed the Respondent PIO to furnish the point wise proper information, free of cost, to the Appellant within 15 days from the receipt of the order.

5. Subsequently, Appellant filed second appeal dated 14/03/2024 before the Hon'ble Commission on the grounds that the Respondent PIO failed to provide information sought by the Appellant even after FAA passed an order directing the Respondent PIO to furnish information within 15 days from the receipt of the order dated 01/02/2024.

### **Facts Emerging in Course of Hearing**

6. Pursuant to the filing of second appeal, parties were notified fixing the matter for hearing on 23/01/2025 and subsequently on 06/02/2025. First hearing was attended by the Appellant as well as Respondents in person.

7. During the hearing, Respondent PIO Mrs. Veera Nayak (Deputy Director) filed a written reply dated 06/02/2025 stating that the relevant file under which information sought by the Appellant is under process and has been forwarded to the Government and added that there is no intentional delay in furnishing the information but it is because of the circulation of file. Respondent No.1 in the reply made an undertaking to furnish information

to the Appellant, the moment the concerned file returned to the Department.

8. When the matter took up for hearing today i.e. 18/02/2025, besides Respondent PIO, FAA also present in person and both the Respondents assured the Appellant before the SCIC that the concerned file pertaining to the information sought by the Appellant is expected to be returned to the Directorate of Tribal Welfare within 15 days and once it reached them, the Appellant will be informed and furnish the information as per the Appellant's RTI application. It was agreed by the Appellant and accordingly submitted a letter dated 18/02/2025 requesting to dispose the present appeal as both FAA (Shri. Dasharath Redkar, Director, Tribal Welfare) and PIO (Mrs. Veera Nayak, Dy. Director, Tribal Welfare) assured to furnish the information on return of the concerned file from the government.

### **ORDER**

**Considering the assurance given by the First Appellate Authority (Director, Tribal Welfare Department) and the Respondent PIO (Dy. Director, Tribal Welfare Department) to the Appellant to furnish the information on return of the concerned file to the Department from the Government of Goa, and Appellant's willingness to wait for the same, Commission today i.e. 18/02/2025 disposed the Appeal No. 71/2024/SCIC with the direction to the Respondent PIO to immediately furnish the information sought by the Appellant vide his RTI application dated 05-11-2023 on receipt of the concerned file by the Tribal Welfare Department from the Government.**

- Proceedings stands closed.
- Pronounced in open Court.
- Notify the Parties.

Sd/-

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

