GOA STATE INFORMATION COMMISSION

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Appeal No. 89/2024/SCIC

Shri. Avinash Bhikaji Dangui,
Flat No T-9, Priyanka Enclave Housing Society,
Behind Kerkar Hospital, Aquem, Alto,
Margao,Goa-403601. ------Appellant

V/s

1.The Public Information Officer,
Headmaster,
Shree Damodar Vidyalaya English High School,
Comba, Margao Goa.

2.The First Appellate Authority,
Dy. Director of Education,
South Education Zone,
Margao-Goa. ------Respondents

Shri Aravind Kumar H. Nair – State Chief Information Commissioner

Relevant Facts Emerging from the Appeal

RTI application filed on	-	**07-02-2024**
PIO replied on	-	**Nil**
First Appeal filed on	-	**08-03-2024**
First Appellate order on	-	**27-03-2024**
Second appeal received on	-	**15-04-2024**
Decision of the Second Appeal on	-	**27-02-2025**

Information sought and background of the Appeal

1. Shri. Avinash Bhikaji Dangui filed an RTI application dated 07/02/2024 to the PIO, Headmaster, Shree Damodar Vidyalaya English High School, Comba, Margao seeking certified copy of the letter dated 19/07/2023 written by Shri. Prabhakar. R. Raul, MTS of Shree Damodar Vidhyalaya English High School, Comba, Margao regarding his visit to the house of Shri. Harshad S. Dangui.

2. Failing to receive any reply/ information from the PIO to his RTI application dated 07/02/2024, Appellant filed first appeal dated 08/03/2024 to the First Appellate Authority.

3. Respondent PIO vide letter dated 23/03/2024 furnished copy of the letter sought by the Appellant.

4. FAA vide order dated 27/03/2024 directed the Respondent PIO to provide the information to the Appellant within 7 days from the receipt of the order, free of cost.

5. Following the FAA's order dated 27/03/2024, Respondent PIO furnished the information sought by the Appellant by registered post on 05/04/2024. However, the Appellant approached the Hon'ble Commission with second appeal dated 15/04/2024 stating that the information is not certified by the Respondent PIO. Appellant prayed before the Commission to issue direction to the Respondent PIO to furnish correct and proper information with certification and impose a fine of Rs. 15,000/- against the Respondent PIO for not furnishing information within the stipulated time period of one month.

6. Pursuant to the second appeal, parties were notified fixing the matter for hearing on 30/01/2025.

Facts Emerging in the course of Hearing

7. When the matter was taken up by the SCIC for hearing on 30/01/2025, Appellant appeared along with Adv. Avinash Nasnodkar but Respondent PIO was absent. During the course of proceedings, a representative of the Respondent PIO appeared and placed on record a letter from the PIO requesting four-week time due to certain urgent work. Accepting the request, matter fixed for hearing on 27/02/2025 and the PIO's representative was duly directed to ensure physical presence of the PIO for the hearing slated for 27/02/2025.

8. The matter was taken up for hearing on 27/02/2025 and Appellant appeared along with Adv. Avinash Nasnodkar but Respondent PIO remained absent. However, at the end of the hearing, Respondent PIO appeared with an apology for coming late.

9. During the course of hearing, Respondent PIO submitted a written statement dated 27/02/2025 to the effect that *"Appellant was issued with copy of the information (a letter dated 19/07/2023 written by Shri. Prabhakar R. Raul, MTS, Shree Damodar Vidyalaya English High School, Comba, Margao regarding his visit to the house of Shri. Harshad Dangui), which was duly acknowledged by the Appellant under his signature. A duly attested copy of the said document is enclosed."*

Commission Observation

i. **Commission is of the opinion that both the parties in the present appeal could have easily settle the matter at their level instead of taking the matter to the Commission wasting their precious time and energy.**

ii. **Since the Appellant specifically asked for certified copy of the letter mentioned in his RTI application. Respondent PIO could have furnish the information either on receipt of the RTI application or after the FAA's order, Appellant deserves a certified copy instead of 'uncertified copy' and Respondent PIO should not handle the RTI application in a casual manner.**

iii. **When Appellant received an uncertified copy of the letter, same could have brought into the notice of the Respondent PIO and could have obtained a certified copy instead of taking the matter to the Commission in the form of second appeal.**

DECISION

The original RTI application of the Appellant dated 07/02/2024 sought only a certified copy of the above mentioned letter dated 19/07/2023 and with the Respondent PIO submitting attested copy of the said letter to the Appellant before the Commission, proceedings in the present appeal is closed and the present Appeal No. 89/2024/SCIC is disposed off.

- Proceeding in the present appeal stands closed.
- Pronounced in open Court.
- Notify the parties.

Sd/-

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