

GOA STATE INFORMATION COMMISSION
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Appeal No. 122/2025/SIC

Master Souza Leonardo Caetano,
370, Sao Bras Ilhas, Post Office,
Marcella North Goa. 403107.

..... Appellant

V/s

1.The Public Information Officer,
O/o. Mamlatdar of Tiswadi,
Panaji-Goa.

2.First Appellate Authority (FAA),
O/o. Mamlatdar of Tiswadi,
Panaji-Goa.

.....Respondents

Shri. Atmaram R. Barve

State Information Commissioner

Filed on: 13/05/2025
Disposed on: 03/11/2025

ORDER

1. The present second appeal arises out of Right to Information (RTI) application dated 10/09/2024 made by Master Souza Leonardo Caetano Appellant herein addressed to the Public Information Officer (PIO) at office of Mamlatdar of Tiswadi.
2. In response to the said RTI application, the PIO, Ms. Shraddha Naik vide reply dated 04/10/2024 gave pointwise reply to the Appellant herein.
3. Aggrieved by the said response, the Appellant herein preferred first appeal vide appeal memo dated 16/10/2024 before the competent authority. Vide order dated 10/02/2025, the First Appellate Authority (FAA) dismissed the first appeal by virtue of detailed order.

4. Aggrieved by the said order, the Appellant preferred second appeal before this authority vide appeal memo dated 13/05/2025.
5. Notices were issued, matter came up to be heard from 07/08/2025 onwards.
6. The relevant PIO, Shraddha Naik filed reply to the appeal memo dated 25/09/2025.
7. On the present day, both the parties proceeded with their arguments.
8. It is contended by the Appellant that, PIO ought to have responded to the RTI application by way of providing copies of balance sheet of the tenant's associations referred by him in RTI application.
9. In response to the same it is contended by the PIO that in regular course of procedure the PIO is not in possession of the records such as balance sheet / bank passbook of tenant's Association. Further it is contended by the PIO that, it has been held by Goa State Information Commission vide **Order dated 10/02/2020 in Appeal No. 160/2017/SIC-II, Joaquim Dias v/s Mamlatdar of Salcete** that Tenant Association is not a public authority.
10. In view of above, this Commission is of considered opinion as under:-
 - a. The subject matter of Appellant's RTI application being concerned with the records of association, which is not a public authority, the PIO may not necessarily have access to all the records of the said association and hence cannot be compelled to provide such information.

b. The PIO cannot be held responsible for denial of information as the same has issued pointwise reply to the Appellant's RTI application thereby ruling out any case of malafide intention.

11. Therefore, considering the above facts, the present second appeal stands dismissed. No order as to cost.

- Parties to be provided authenticated copies of the order.
- 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