

**GOA STATE INFORMATION COMMISSION**  
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

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**Appeal No. 230/2024/SIC**

Nitin Y. Patekar,  
Oshalbag, Dhargal,  
P.O. Colvale-Goa 403513.

.....Appellant

V/S

1. The Public Information Officer,  
O/o. The Chief Secretary,  
Secretariat, Porvorim,  
Bardez-Goa.

2. First Appellate Authority,  
O/o. The Chief Secretary,  
Secretariat, Porvorim,  
Bardez-Goa.

.....Respondents

**Shri. Atmaram R. Barve**

State Information Commissioner

**Filed on: 21/10/2024**

**Decided on: 14/05/2025**

**ORDER**

1. The present Second Appeal arises out of the Right to Information application dated 05/06/2024 made by Shri. Nitin Y. Patekar, Appellant herein and addressed to the Public Information Officer (PIO) in the Office of the Chief Secretary, Government of Goa.
2. It is noteworthy that, the PIO did not furnish any reply to the Appellant herein and as such the Appellant preferred First Appeal dated 26/07/2024 before the appropriate authority.
3. Thereafter, citing the grounds of non-disposal of his first appeal, the Appellant herein filed the Second Appeal before this Commission on 21/10/2024, after which notices were

issued and the matter came up for hearing from 17/02/2025 onwards.

4. The Respondent PIO vide reply dated 17/02/2025 submitted that, the Appellant RTI application was transferred under Section 6(3) of the RTI Act to the PIO at Office of Secretary, Civil Supplies and to the PIO, Secretary, Art and Culture, Government of Goa.
5. Upon perusal of appeal memo and other materials on record, this Commission is of the opinion as under:-
  - a. The PIO ought to have informed the Appellant herein regarding transfer of his application under Section 6(3) of the RTI Act.
  - b. Merely, transferring the application and not informing the Appellant is sufficient ground to establish that the Appellant was under informed.
  - c. The First Appellate Authority (FAA) has shown gross negligence by way of not deciding the first appeal for nearly 10 months.
  - d. The Appellant also has not preferred to remain present for hearings before this Commission which in the opinion of this Commission has deprived him of his own rights to put forth his contention in this matter.
6. In view of the above, the present second appeal is disposed off with following order:-
  - Present second appeal is upheld.
  - The PIO, Smt. Susmita Sadekar is directed to seek the information from the relevant PIO's as the case may be

and furnish information to the Appellant herein on or before 30/06/2025.

- Registry to issue show cause notice to the said PIO seeking clarification as to why no action should be initiated against her under Section 20(2) of the RTI Act. The PIO to remain present with reply to show cause notice and compliance report in terms of above directions on **02/07/2025 at 11.00 am.**
- Proceedings closed.
- Pronounced in the open court.
- Notify the parties.

Sd/-

**(Atmaram R. Barve)**

State Information Commissioner