

GOA STATE INFORMATION COMMISSION
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Appeal No. 26/2025/SIC

Shriram S. Raiturkar,
H.No. 163, Pajifond,
Isidoro Emilio Baptista Road,
Margao-Goa 403601.

..... Appellant

V/s

1.The Public Information Officer.
Dy. Director of Vigilance (General Vigilance),
Serra Building, Altinho, Panaji-Goa.

2. The First Appellate Authority,
Director, Directorate of Vigilance,
Serra Building, Altinho, Panaji-Goa.

.....Respondents

Shri. Atmaram R. Barve

State Information Commissioner

Filed on: 23/01/2025
Disposed on: 06/11/2025

ORDER

1. The present second appeal arises out of the Right to Information (RTI) application dated 14/07/2024 made by the Appellant, Shri. Shriram S. Raiturkar and addressed to the Public Information Officer (PIO) at Directorate of Vigilance, Government of Goa.
2. Vide reply dated 12/08/2024, the PIO, Shri. Shrikant Pednekar informed the Appellant herein that inspection of the file cannot be allowed under Section 8(1)(h) of the RTI Act.
3. Aggrieved by this reply, the Appellant herein preferred first appeal before the competent authority vide appeal memo dated 03/09/2024.

4. The First Appellant Authority (FAA) vide order dated 08/10/2024 rejected the said first appeal.
5. Aggrieved by the said order, the Appellant herein preferred second appeal before this Commission vide appeal memo dated 23/01/2025.
6. Notices were served and matter came up to be heard from 23/04/2025 onwards.
7. It is contended by the Appellant herein that, the contents of his RTI application refers to an information pertaining to a report dated 13/10/2011 and that no progress in so far as the investigation by the Directorate of Vigilance has happened in this matter.
8. It is contended by the PIO that, the matter is under investigation and revealing information at this stage shall impede process of investigation.
9. The PIO further adds that, the staff strength in his department is very less and process of investigation thus becomes time consuming exercise.
10. In view of the above and upon perusal of appeal memo, replies, rejoinder and other material on record, this Commission is of considered opinion as under:-
 - a. RTI Act empowers every citizen to instill transparency into public administration and whenever any public spirited person tries to obtain information pertaining to public authority drawing salaries and allowances from State Exchequers, the need for transparency and accountability in context of RTI Act; becomes paramount.

- b. Although it is an established fact that investigation is said to be not completed until final decision is arrived at, at the same time long pendency of such investigation becomes a hurdle in the path of maintaining transparency and accountability in context of the RTI Act.
 - c. The PIO in this matter has admitted the aspect of pendency of investigation due to various factors spelt out in his reply.
 - d. Pendency of investigation beyond 10 years has to be definitely considered as an inordinate delay.
 - e. Pendency of investigation appears to have become a shield to evade the action under RTI Act and cause denial of information thereby causing grave prejudice to the inherent right of information seeker.
 - f. Moreover, in the instant matter, the Appellant has not sought any certified copies and rather expects a simple inspection of the concerned documents and if there is no progress in the said investigation matter then there is no reason why such an inspection should cause impediment in process of conducting or concluding in said investigation whichever the case may be.
11. Therefore, in view of above, the present second appeal is disposed off with following order:-
- a. The present second appeal is upheld.
 - b. The PIO, Shrikant Pednekar is hereby directed to provide inspection of the documents as sought by the Appellant herein in his RTI application dated 14/07/2024 on

21/11/2025 during office hours and record the minutes of the said proceeding.

- c. In case the said PIO is transferred then the present PIO is also directed to give full cooperation to Shri. Shrikant Pednekar to comply with the directions above.
- d. Registry to issue show cause notice to the PIO, Shrikant Pednekar seeking clarification as to why action should not be initiated against him for non-compliance of the directions above. Shri. Shrikant Pednekar shall remain present in person alongwith reply to show cause notice and compliance report on **02/12/2025 at 11.00 am** before this Commission. 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