

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

Tel No. 0832-2437880/2437208 email: [spio-gsic.goa@nic.in](mailto:spio-gsic.goa@nic.in)  
website: [www.gsic.goa.gov.in](http://www.gsic.goa.gov.in)

---

**Shri. Atmaram R. Barve** State Information Commissioner

**Appeal No. 448/2023/SIC**

Sarvesh Sudan Desai,  
H. No. 6/92-F, Sonarbhat,  
Saligao, Bardez-Goa,  
403511

.....Appellant

V/s

1. Public Information Officer (PIO),  
Shri. Sanjeev C. Gauns Dessai,  
Joint Secretary to Governor,  
Raj Bhavan, Goa 403004

2. Secretary to Governor of Goa,  
The First Appellate Authority (FAA),  
Rajya Bhavan, Dona Paula,  
Goa, 403004

.....Respondents

**Filed on: 11/12/2023**  
**Disposed on:- 12/02/2025**

**O R D E R**

1. The present second appeal arises out of the Right To Information application dated 20/08/2023 made by the Appellant herein Shri. Sarvesh Sudan Dessai and addressed to the Public Information Officer (PIO) at the Office of the Governor of Goa.
2. The Public Information Officer (PIO) Shri. Sanjeev C. Gauns Dessai vide communication dated 18/09/2023 provided pointwise reply to the Appellant herein.

3. Thereafter, aggrieved by the aforementioned reply the Appellant herein preferred the first appeal dated 23/09/2023.
4. Vide order dated 23/10/2023 the First Appellate Authority (FAA) dismissed the said first Appeal.
5. Aggrieved by the order of the First Appellate Authority the Appellant herein preferred the second appeal dated 11/12/2023 before this Commission.
6. Notices were issued and proceedings commenced from 07/02/2024 onwards.
7. However, on account of the former State Information Commissioner demitting office proceedings halted and eventually resumed from 07/10/2024 onwards.
8. The Respondent PIO vide reply dated 11/11/2024 cited the Special leave petition No. 33124 of 2011 before the Honorable Supreme Court of India wherein the issue of determining whether the Governor of Goa falls under the purview of being a public authority under the Right to Information Act, is yet to be decided.

9. Vide application dated 20/11/2024 the appellant contended that the Governor of Goa is a Public Authority and as such is liable to discharge functions in terms of the Right to Information Act, 2005.
10. Upon perusal of the Appeal Memo and rival contentions, this Commission is of the considered opinion that in the light of the pendency of the aforementioned matter before the Hon'ble Supreme Court of India, it would be inappropriate to go into the merits of the present matter.
11. However, it is also observed that the PIO in the instant matter has not made any mention of such a pendency in so far as providing reply to the information seeker is concerned.
12. Firstly providing a reply to the information seeker and then claiming the refuge of the pendency of a matter before the honorable Supreme Court creates ambiguity in the mind of the information seeker and shows clear inconsistency on the part of the Public Information Officer.
13. Therefore, for the want of clarity in so far as whether the Governor of Goa is a public authority

or not; the present second appeal is dismissed. However, the PIO is cautioned to be clear, specific, and unambiguous in his responses towards applications under the RTI Act.

Appeal disposed off with no order as to cost.

Pronounced in the open court.

Notify the parties.

Authenticated copies of the Order should be given to the parties free of cost.

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