

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

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Appeal No.73/2026/SCIC

Shri Pravinsingh A. Shedgaonkar,
H. No. 1615/2, "Satyabahamakrishna",
Adjacent Bombay High Court,
Malim, Betim, Bardez, Goa 403101

-----Appellant

V/s

1. The Public Information Officer,
EDC Limited, EDC House,
Panaji Goa 403001.

2. The First Appellate Authority,
EDC Limited, EDC House,
Panaji Goa 403001.

-----Respondents

Shri. ARAVIND KUMAR H. NAIR - State Chief Information Commissioner, GSIC

Relevant Facts Emerging from the Appeal

RTI application filed on	07/08/2025
PIO replied on	01/09/2025
First Appeal filed on	24/11/2025
First Appellate order on	31/12/2025
Second appeal received on	06/03/2026
Decided on	08/06/2026

Information sought and Background of the Appeal

1. Shri. Pravinsingh A. Shedgaonkar filed an application dated 07/08/2025 under RTI Act, 2005 to the PIO, EDC, Panaji seeking information following information

- i. *"Inspection of all files of borrowers, where show cause notice issued for recall/recovery of the loan sanctioned by the EDC in the last 10 years.*
- ii. *Inspection of all files of borrowers which are forwarded/referred to SLARO for recovery in the past 10 years.*
- iii. *Inspection of all the files of borrowers to whom subsidies are released against the loan granted in past 10 years.*
- iv. *Certified copies of document as marked after inspection".*

- 2.** In response to the RTI application, PIO (EDC) vide registered letter dated 01/09/2025 requested the Applicant to visit the office of the PIO for physical inspection of the records on 05/09/2025. Applicant however vide email dated 17/09/2025 requested for inspection of files on 18/09/2025 and ultimately inspection has been carried out by the Applicant on 29/09/2025.

Upon inspection of files on 29/09/2025, Applicant vide letter dated 08/10/2025 requested the PIO, to furnish certified copies of 13 files pertaining to show cause notice and recall PMRA and 6 files pertaining to subsidy files.

- 3.** In response to the above request for certified copies, PIO vide letter dated 24/10/2025 intimated the Applicant to collect the sought information (174 pages @ Rs. 2 per page) by paying Rs. 348/-. Accordingly, Applicant paid the amount online on 03/11/2025 and collected information on 06/11/2025.

- 4.** Subsequently, Applicant filed first appeal dated 24/11/2025 before the First Appellate Authority stating that Respondent PIO has not furnished all information sought vide RTI application and prayed for direction to the Respondent PIO to provide the requested information, free of cost.

- 5.** First Appellate Authority (M.D, EDC Ltd.) vide order dated 31/12/2025 dismissed the first appeal on the ground that all the requested information has been provided to the Appellant by the Respondent PIO and there is no mention of any specific information which has not been provided to the Appellant, in the first appeal.

- 6.** Being aggrieved by the dismissal of his first appeal by the First Appellate Authority, Appellant preferred second appeal dated 06/03/2026 before the Commission stating that Respondent PIO took 89 days for providing the part information and denied inspection with respect to Point No. 02 of the RTI application. Appellant prayed for

direction to Respondent No. 01 (PIO) to furnish information and penal as well as disciplinary proceedings against the Respondent No. 01.

FACTS EMERGING IN COURSE OF HEARING

7. Pursuant to the filing of the present appeal, matter took up for hearing on 22/04/2026 for which Appellant present. Respondent PIO present along with APIO and Adv. Sonali Nagvenkar. Respondent PIO filed reply dated 22/04/2026 to the appeal memo stating that :

- a. There has been no delay on the part of Respondent No. 01 and inspection was not denied in respect of any point of the RTI application.*
- b. Though the inspection of files and the information requested by the Appellant was voluminous in nature, genuine effort was made to arrange inspection of files and furnishing certified copies.*
- c. Inspection was conducted by the Appellant on 29/09/2025, 30/09/2025 and 16/10/2025 and did not turn up for inspection on 21/10/2025 despite giving an opportunity.*
- d. Information sought at Point No. 02 of the RTI application do not fall under the purview of the Respondent No. 01.*

8. Matter called out further on 05/05/2026 for which Appellant present and Respondent PIO present alongwith Adv. Sonali Nagvenkar and APIO.

During the proceeding, Appellant raised objection over the appearance of the lawyer for Respondent No. 01 but Presiding Commissioner dismissed/rejected the said objection stating that there is no explicit provision in the RTI Act, 2005 banning the appearance of lawyer for the Respondent, even though Presiding Commissioner prefer parties to personally present their matters.

9. After hearing both the parties, Presiding Commissioner directed the Respondent PIO to give the Appellant another opportunity to inspect the files pertaining to the information sought at Point No. 02 of

the RTI application. Accepting the direction of the Presiding Commissioner, Respondent PIO instantly agreed to allow the Appellant to inspect the concerned files on May 11 and 12, 2026. Matter posted to 08/06/2026.

10. Both the parties present for final hearing held on 08/06/2026, Respondent PIO filed written submission stating that :

- i. Complying with the oral direction dated 05/05/2026 of the Presiding Commissioner, Appellant was allowed to conduct physical inspection of files on May 11 and 12, 2026.*
- ii. Furnished certified copies of all document identified during the inspection and sought by the Appellant, who received the same on 21/05/2026.*

11. Appellant submitted that he has carried out inspection and thereafter he received certified copies of information/document. However, he has submitted written submission highlighting following lacunas noticed during the course of inspection:

- a. Files maintained are not paginated.*
- b. No files registered or log book is maintained.*
- c. Since PIOs are trained at the expense of public funds, legal counsels should not be detailed to appear for PIOs on public funds.*
- d. EDC does not upload their MoM of various committees on their website.*

DECISION

- i. Delay in furnishing information and denial of information sought at Point No. 2 of the RTI application dated 07/08/2025 were the issues raised before the Commission by the Appellant. However, Commission could not establish any deliberate delay by Respondent PIO in allowing physical inspection of the records to the Appellant and furnishing information thereafter.**

- ii. Opportunity for inspection of records was initially granted by the PIO on 05/09/2025 but following Appellant's request, it was rescheduled to some other dates giving ample opportunity to the Appellant for physical inspection of the files/records.
- iii. *Following the intervention by the Commission, Appellant was allowed to physically inspect the files pertaining to the information sought at Point No. 2 on May 11 and 12, 2026 and Appellant received sought information on 21/05/2026.*
- iv. Since the Appellant conducted physical inspection of records and received desired information after intervention by the Commission present appeal disposed off.
- v. However, Respondent PIO is directed to ensure proper record management system in the Public Authority (Economic Development Corporation Limited), as Section 4 of the RTI Act, 2005 mandates that *"Every Public Authority shall maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act"*.

Since, suo moto disclosure of information u/s 4 of the RTI Act, 2005 promotes transparency and reduce the need to file formal RTI applications, Public Authority in the present appeal, Economic Development Corporation is directed to explore the option of uploading the minutes of the meeting on their website as a pro-active disclosure of information.

- Proceeding stands closed.
- Pronounced in Open Court.
- Notify the parties.

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/-

(ARAVIND KUMAR H. NAIR)
State Chief Information Commissioner, GSIC