

**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)

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**Appeal No. 144/2024/SIC**

Shri. Mahabaleshwar N.S. Dessai,  
r/o. H.No. 263,  
Bondel, Kalay,  
Sanguem-Goa 403704.

.....Appellant

V/S

1.Aakash Sakhardande,  
Public Information Officer,  
Kadamba Transport Corporation,  
Porvorim-Goa.

2. Shri. Derrick Neto,  
FAA/ Managing Director,  
Kadamba Transport Corporation,  
Porvorim-Goa.

.....Respondents

**Shri. Atmaram R. Barve**

State Information Commissioner

**Filed on: 09/07/2024**  
**Detailed Order passed on: 01/06/2026**

**ORDER**

1. The present second appeal arises out of the Right to Information (RTI) application dated 28/12/2023 made by the Appellant, Shri. Mahabaleshwar N.S. Dessai and addressed to the Public Information Officer (PIO) at office of Kadamba Transport Corporation, Porvorim-Goa.
2. The PIO vide reply dated 24/01/2024, informed the Appellant to collect the information on payment of Rs.4/- and on payment provided the information pertaining to point No. 1 and 4 and with respect to point No. 2,3 and 5 informed the Appellant that same cannot be furnishing being third party information.

3. Aggrieved by the reply of the PIO, the Appellant preferred first appeal dated 28/02/2024 before the competent authority.
4. In absence of the order from the FAA within stipulated time period, the Appellant preferred a Second appeal vide appeal memo dated 09/07/2024 before this Commission.
5. Notices were issued and matter came up to be heard from 30/12/2024 onwards.
6. During the hearing on 13/03/2025, the PIO contended that third party information cannot be revealed. The issue to be decided the presiding Commissioner was whether non-adherence of procedure can change the nature of information and can make it available for disclosure or not.
7. However, the information sought by the Appellant was in respect to the government staff who has already superannuated from his service, still the PIO had to invoke Section 11 of the RTI Act and should have asked for the consent form third party for disclosure of information.
8. Upon perusal of the appeal memo, replies and written arguments by both the parties, this Commission is of considered opinion as under:-
  - a. The PIO has duly discharged her duty by providing reply to the RTI application within stipulated time period of 30 days, however failed to invoke Section 11 of the RTI Act, 2005 as the information sought by the Appellant pertains to third party.

- b. The FAA has also grossly failed to discharge his duty by not passing the speaking order in the first appeal within the stipulated time period.
9. Therefore, in view of the above the matter is disposed off with the following order:-
- a. The second appeal is upheld.
- b. The present PIO, Kadamba Transport Corporation is hereby directed to reaccess the original RTI application of the Appellant and to rightly invoke Section 11 for third party information.
- c. The present PIO, Kadamba Transport Corporation is hereby directed to file compliance report with respect to the directions above on or before 30/06/2026 to 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