

GOA STATE INFORMATION COMMISSION
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Appeal No. 148/2025/SIC

Dulba H. Volvoicar,
Flat No. 7, 2nd Floor,
Precy Buidling, Fountainas,
Mala, Panaji-Goa.

..... **Appellant**

V/s

1. The Public Information Officer (PIO),
Under Secretary (Higher Education),
Directorate of Higher Education,
Goa Education Complex,
Alto, Porvorim-Goa.

2. The First Appellate Authority (FAA)/
Addl. Director of Higher Education,
Directorate of Higher Education,
Goa Education Complex,
Alto, Porvorim-Goa.

.....**Respondents**

Shri. Atmaram R. Barve

State Information Commissioner

Filed on: 16/07/2025
Disposed on: 07/01/2026

ORDER

1. The present second appeal arises out of the Right to Information (RTI) application dated 17/03/2025 made by the Appellant herein, Shri. Dulba H. Volvoicar and addressed to the Public Information Officer (PIO) at Directorate of Higher Education, Alto Porvorim- Goa.
2. The PIO, Shri. Safal Shetye vide reply dated 13/05/2025 provided a pointwise reply to the said RTI application.

3. Aggrieved by the said reply, the Appellant herein preferred First Appeal before the Competent Authority vide Appeal memo dated 15/05/2025.
4. The First Appellant Authority (FAA) Order or any Notices issued therein have not been brought on record by either of the parties.
5. Thereafter vide appeal memo dated 16/07/2025 the Appellant herein preferred the Second Appeal before this Authority. Notices were issued and matter came up to be heard on 17/09/2025 onwards.
6. The PIO filed his reply to appeal memo on 17/09/2025 in response to which the Appellant filed his reply on 27/10/2025 vide application dated 18/12/2025. Shri. Santosh Naik brought to the notice of this Commission that relevant PIO Shri. Safal Shetye has been transferred to different department.
7. The relevant PIO, Shri. Safal Shetye is present on today's hearing in person & put forth his contention in response to the reply filed by Appellant herein.
8. Upon perusal of appeal memo and all other material on record this Commission is of considered opinion as under:-
 - a. Prima Facie- there is a gross error on the part of the PIO in not issuing the relevant information in its stipulated time period.
 - b. However, upon pursuance of said information the Appellant herein has chosen not to contest this aspect before the FAA as well as second Appellate Authority.

- c. There appears to be gross negligence on the part of FAA in so far as not hearing or deciding the First Appeal is concerned and furthermore there is no material on record to even remotely suggest the contrary.
 - d. Apart from the aspect of exceeding prescribed time limit. PIO Shri. Safal Shetye appears to have duly provided information and also by way of duly transferring the relevant part of said information to the relevant Public Information Officer who in his opinion would have access to that part of information which is not in his domain or not accessible to him in normal course.
 - e. Although it is the desire of Appellant that he should get desired information from a single point, it would not be appropriate & the same shall not be in consonance with the letter and spirit of the RTI Act and when multiple PIOs are involved in the dissemination of information, it would set a wrong precedence to hold a single person responsible and would defeat the very purpose of RTI Act.
9. Therefore in view of above the present Second Appeal is disposed with following Order:-
- a. The present Second Appeal is partially allowed.
 - b. The First Appellate Authority (FAA), Directorate of Higher Education is hereby directed to reinitiate the process of first appeal by issuing notices to concern parties and conduct the process of deciding the first appeal within a period of 45 days from the issuance of this order.

- c. Registry is directed to communicate this order to the relevant FAA through the Director, Directorate of Higher Education, Porvorim-Goa with directions to immediately also communicate the name and designation of FAA forthwith.
- d. The Appellant herein shall be at liberty to approach this Commission with a Complaint in case the First Appeal is not decided by the FAA in terms of directions above. Proceedings in this matter stands closed. No order has to caused.
- No order as to cost.
 - Parties to be provided authenticated copies of this order separately under each appeal number.
 - 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