

GOA STATE INFORMATION COMMISSION
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Appeal No. 50/2026/SIC

Shri. Krishna R. Pandit,
H. No. 884/11, Devashri Bhuvan,
Porvorim, Bardez, Goa.

..... Appellant

V/s

1. Public Information Officer (PIO),
Mr. Suraj B. Prabhu Dessai, Dy. General Manager,
Goa Tourism Development Corporation Ltd,
Patto, Panaji Goa.

2. First Appellate Authority, (FAA)
Goa Tourism Development Corporation Ltd,
Patto, Panaji Goa.

3. The Executive Engineer (North),
Mr. Vasudev Parab,
Project Cell, SPV (GTDC),
Goa Tourism Development Corporation Ltd, (GTDC)
Patto, Panaji Goa.

..... Respondents

Shri. Atmaram R. Barve

State Information Commissioner

Filed on: 29/01/2026

Disposed on: 03/06/2026

ORDER

1. The present Second appeal arises out of the Right to Information application dated 02/09/2025 made by the appellant herein, Shri. Krishna R. Pandit and addressed to the Public Information Officer at the Department of Tourism, Government of Goa.

2. The Public Information Officer at the Directorate of Tourism, Government of Goa vide communication dated 26/09/2025 transferred the said Right to information application to the Public Information Officer at Goa Tourism Development Corporation under Section 6 (3) of the Right to Information (RTI) Act.

3. The Public Information Officer, Shri. Suraj Prabhu Dessai vide note dated 29/09/2025 sought the assistance of the Executive Engineer SPV, Project Cell of Goa Tourism Development Corporation under section 5(4) of the Right to Information Act asking the said officer to furnish the relevant information latest by 09/10/2025 to the Public Information Officer of Goa Tourism Development Corporation, so as to enable timely disposal of the RTI application made by the Appellant herein.

4. Thereafter vide reminder dated 14/10/2025 the PIO once again sought the requisite information from the Executive Engineer concerned.

5. Thereafter, vide communication dated 17/10/2025 the PIO once again wrote to Executive Engineer concerned that sub section 5 of 5 of Right to Information Act has been invoked and the said Executive Engineer should furnish information directly to the Appellant herein.

6. In the meantime the Appellant herein preferred the first appeal dated 24/10/2025 before the First Appellate Authority.

7. The First Appellate Authority, upon hearing the matter disposed by directing the Executive Engineer concerned to furnish the information within 48 hours from the date of disposal i.e. 05/01/2026 to the Appellant and also directed the Public Information Officer of Goa Tourism Development Corporation to coordinate with concerned Executive Engineer in view of his directions.

8. Thereafter citing the grounds of failure on the part of PIO to furnish information, the Appellant herein preferred second appeal before this Commission vide appeal memo dated 29/01/2026.

9. Notices were issued and the matter came up to be heard from 20/04/2026 onwards.

10. The PIO Shri. Suraj Prabhu Dessai vide his reply has contended that the lapse in view of disposal of Appellant's RTI request are solely on part of Executive Engineer and that the said PIO has acted diligently in keeping with the letter and spirit of RTI Act.

11. Upon perusal of appeal memo, replies of the PIO and all the material on record, this Commission is of the considered opinion as under:

a) Prima facie; the PIO at Goa Tourism Development Corporation has acted in keeping with provisions of the RTI Act by way of issuing intimation to the Executive Engineer, Shri. Vasudev Parab under section 5 (4) of the RTI Act.

b) The conduct of the Executive Engineer, Shri. Vasudev Parab is highly objectionable and appears to be aimed at causing denial of information to the information seeker.

c) The said Executive Engineer, Shri. Vasudev Parab has erred in so far as treating the Appellant's request as third party information which has been pointed out by FAA wherein it has been clearly ascertained that said information has to be furnished to the information seeker.

d) The conduct of the said Executive Engineer in so far as paying no heed to the intimation issued by the PIO, non-compliance with order of the FAA as well as non-appearance before the Second Appellate Authority have to be seen as a matter of gross negligence, indiscipline and disregard towards RTI Act and the authorities constituted there under.

e) However, this matter also raises a larger issue about the shortcoming on the part of PIOs to have direct access to the information which may be in the possession of other officials other than APIOs working under their administrative control as far as the RTI Act is concerned.

f) The PIO, ought not to get away by merely fixing the responsibility on the sub-ordinate staff because the PIOs are under statutory obligations of having access to records within their domain and the records are to be duly catalogued and indexed by the PIOs in terms of section 4 of the RTI Act, 2005.

g) There appears to be an error on the part of FAA too in the limited context of giving directions to the Executive Engineer, whereas the concern Public Authority is the PIO; who should have been put under directions.

12. Therefore in the light of the above the present second appeal is disposed with following orders:

a) The present appeal is allowed.

b) The PIO, Shri. Suraj Prabhu Dessai is hereby directed to take the custody of all the documentary information relevant to the present matter from the said Executive Engineer, Shri. Vasudev Parab on or before 10/06/2026.

c) The PIO, Shri. Suraj Prabhu Dessai is further directed to provide inspection of the relevant documents and certified true copies free of cost to the Appellant on 16/06/2026 and record the minutes of the proceedings pertaining to the said inspection as well as issuance of relevant document and the information seeker as well as PIO to inscribe their signature upon completion of the said exercise.

d) The Managing Director, Goa Tourism Development Corporation is hereby directed to conduct an inquiry against the said Executive Engineer, Shri. Vasudev Parab and recommend disciplinary proceedings in terms of section 20(1) and section 20(2) of the RTI Act, 2005 for having caused denial of information to the information seeker.

e) The inquiry shall be completed on or before 03/07/2026 and the said report shall be submitted to this Commission on or before 07/07/2026.

f) The PIO shall remain present alongwith compliance report in terms of relevant directions above before this Commission on 07/07/2026 at 11.00 am failing which necessary proceeding shall be initiated forthwith.

- 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