

GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa
Tel No. 0832-2437880/2437208 email: spio-gsic.goa@nic.in
website: www.gsic.goa.gov.in

Complaint No. 04/2025/SIC

Shri. Ravi Agnelo Luis,
R/o. H.No. 07, Bhutea Bhatt,
Vasco Da Gama, Goa.

.....Complainant

V/S

1.The Returning Officer/Public Information Officer,
District Magistrate, (DM), South Goa,
Mathany Saldhana Building,
Margao-Goa.

2.Mr. Abhishesh Prabhudessai,
Awal Karkun/PIO,
Election Branch Collectorate,
South Goa District,
Margao-Goa.

.....Opponents

Shri. Atmaram R. Barve

State Information Commissioner

Filed on: 24/01/2025
Decided on: 06/10/2025
Detailed order on: 15/05/2026

ORDER

1. The present complaint arises out of Right to Information (RTI) application dated 14/10/2024 made by the Complainant Ravi Agnelo Luis and addressed to Public Information Officer (PIO), the Returning Officer and District Magistrate (DM), South Goa, Margao-Goa.
2. The PIO at office of the Collector & District Election Officer, South Goa District transferred the said RTI application to the PIO at office of Dy. Collector & SDO-II, Salcete, Margao Goa as the information sought by the Appellant is held by the office of Dy. Collector & SDO-II, Salcete under Section 6(3) of the RTI Act vid letter dated 21/10/2024.

3. The PIO at the office of the Collector & District Election Officer, South Goa District vide reply dated 12/11/2024 informed the Appellant that the information sought by him cannot be provided as per the rule 93(1) of Conduct of Election Rules, 1961, except under the order of a competent Court.
4. Aggrieved by the response, the Complainant herein preferred Second appeal dated 24/01/2025 before the before this Commission.
5. Notices were issued and matter came up to be heard from 05/05/2025 onwards.
6. Both the parties filed their respective replies and rejoinders and also argued the matter.
7. Upon perusal of the complaint memo and as well as other relevant documents relied upon by both the parties this Commission is of considered opinion as under:-
 - a. The Complainant herein has not exhausted the remedy of filing first appeal before the competent authority.
 - b. The PIO have duly discharged his duties in so far as examining the RTI application of the Complainant and responding the same.
 - c. There appears to be no deliberate or inordinate delay on the part of the PIO as the issue is pending before the Hon'ble High Court of Bombay at Goa Election Petition No. 1752/2024 and the marked copies alongwith EVMs are stored in strong room cannot be opened without prior permission of Hon'ble High Court, Bombay at Goa and

hence the requested information by the Appellant cannot be provided as per the law.

8. In view of above, the present complaint stands dismissed.

- 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