

GOA STATE INFORMATION COMMISSION

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

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Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 96/2021/SIC

Sarvesh Sudan Desai,
H.No. 7/33-B, Salmona,
Saligao, Bardez-Goa 403511

.....Appellant

v/s

1. The First Appellate Authority,
Prof. Rajendra Shirsat,
Goa University,
Taleigao Plateau-Goa.
2. The Public Information Officer,
Goa University,
Taleigao Plateau-Goa.

.....Respondents

Filed on : 10/03/2021

Decided on : 30/12/2021

Relevant dates emerging from appeal:

RTI application filed on	: 28/12/2020
PIO replied on	: 25/01/2021
First appeal filed on	: 27/01/2021
FAA order passed on	: 19/02/2021
Second appeal received on	: 10/03/2021



ORDER

- 1) The brief facts of this case, as contended by the appellant are as under:- The appellant vide application dated 28/12/2020 filed under the Right to Information Act, 2005 (for short, the Act) sought certain information from Respondent No. 2 Public Information Officer (PIO), Goa University. He received a reply dated 25/01/2021 from the PIO; the said reply is misleading, wrong, incorrect and obstructing the information. Feeling aggrieved, the appellant filed appeal dated 27/01/2021 before Respondent No. 2 First Appellate Authority (FAA). The FAA


vide order dated 19/02/2021 disposed the appeal without any relief to the appellant. Hence the appellant filed second appeal before the Commission.


2) Parties were intimated and the matter was taken up for hearing. Appellant appeared before the Commission initially, however neither filed any submission nor argued his case. Advocate Madhavi Kavlekar appeared on behalf of the PIO and filed reply dated 07/10/2021. The appellant chose to remain absent during the further proceeding.

3) The PIO stated in the reply that the application referred by the appellant does not refer to any information sought, on the contrary it mentions about one representation. Further in the second para of the said application the appellant mentions regarding manhandling by some driver. The PIO further stated that the appellant refers to a letter dated 10/12/2020, which also does not come under the jurisdiction of the Act. That no information is sought by the appellant and the matter is beyond the purview of the RTI Act, hence the appeal need to be dismissed.

4) Upon perusal of the available records, the Commission has arrived at following findings:-

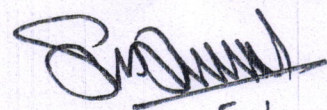
- (a) The application referred herein by the appellant contains three paras. In the first para, the appellant mentions regarding his representation submitted to the office of the Vice Chancellor of Goa University, though he does not seek any information in para 1.



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- (b) In para 2 the appellant narrates one incident wherein he was stopped and was manhandled by one driver while trying to enter the office of the Vice Chancellor of Goa University. He mentions another incidence wherein he was restrained from entering the office by security guard. However the appellant does not seek any information in para 2.
- (c) In para 3 Appellant sought to know under which provision he was barred from entering the office of Goa University. However details regarding the said incident are not on record as replied by the PIO and the jurisdiction does not permit any comment/direction from the Commission.
- (d) This being the case, the Commission finds that the appellant has not sought any information from the PIO under point No. 1 and 2 and hence the PIO is not required to furnish any information to the appellant.
- (e) As a consequence, the order of First Appellate Authority disposing the appeal without any relief needs to be upheld.

5. In the light of above discussion and findings of the Commission, it is concluded that the appeal is bereft of merit and the same needs to be disposed accordingly.

6. Hence, the appeal is dismissed and the proceeding stands closed.



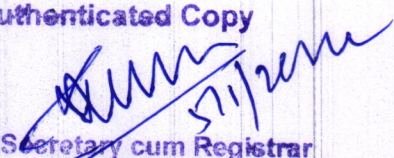
Pronounced in the open court

Notify the parties.

Authenticated copies of the Order should be given to the parties free of cost.

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

Authenticated Copy


Under Secretary cum Registrar
Goa State Information Commission
Panaji - Goa


(Sanjay N. Dhaivalikar)

State Information Commissioner
Goa State Information Commission,
Panaji-Goa

KK/-

