

**GOA STATE INFORMATION COMMISSION**

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**Shri. Sanjay N. Dhavalikar**, State Information Commissioner

**Appeal No. 380/2023/SIC**

Shri. Jitendra L. Naik,  
H. No. 140, Gogal Housing Board,  
Margao-Goa 403601.

-----Appellant

**v/s**

1.The Public Information Officer,  
Office of the Margao Municipal Council,  
Margao-Goa 403601.

2. Chief Officer/ First Appellate Authority,  
Margao Municipal Council,  
Margao-Goa 403601.

----Respondents

**Relevant dates emerging from appeal:**

RTI application filed on	: 28/07/2023
PIO replied on	: 21/08/2023
First appeal filed on	: 28/08/2023
First Appellate Authority order passed on	: 14/09/2023
Second appeal received on	: 16/10/2023
Decided on	: 29/01/2024

**ORDER**

1. The second appeal filed by the appellant under Section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act'), against Respondent No. 1, Public Information Officer and Respondent No. 2, First Appellate Authority (FAA), which came before the Commission on 16/10/2023.
2. Notice was issued to the concerned parties, pursuant to which appellant appeared alongwith Shri. Gajanan Asolkar and argued for complete information. Smt. Smita R. Satardekar, Head Clerk appeared on behalf of the PIO, under authority letter and undertook to furnish the information. Advocate S. Vaingankar and Advocate A. Shirodkar appeared on behalf of the FAA.
3. During the proceeding on 20/12/2023, information was furnished before the Commission on behalf of the PIO, certified copies of the said information were collected by the appellant on 29/01/2024. However, the appellant contended that complete information was not furnished by the PIO. The Commission observes that no reply is filed

by the PIO, only enclosures of information are submitted by the Head Clerk on behalf of the PIO.

4. This being the case, the Commission is unable to conclude that complete information is furnished. On the contrary, the Commission subscribes to the contention of the appellant that PIO has not furnished complete information. The desired information pertains to the employment of Shri. Sanjay Ramrai Borkar. Though the said information is third party information, the third party was employed in the public authority and had drawn salary from the public treasury. Hence, information such as documents relied at the time of recruitment, educational qualifications etc. cannot be termed as personal information under Section 8 (1) (j) of the Act.
5. Hence, the PIO is mandated to furnish complete information sought by the appellant. Appellant, on 18/01/2024, while praying for information, volunteered to visit PIO's office in order to inspect the relevant records and identify the remaining information. The Commission opines that the PIO should have no difficulty in providing such an inspection to the appellant.
6. In the light of above discussion, the present appeal is disposed with the following order:-
  - a) Appellant if desires, may visit PIO's office to undertake inspection of documents sought vide application dated 28/07/2023, within 07 days from receipt of this order, with prior intimation to the PIO.
  - b) PIO is directed to provide such an inspection, if desired by the appellant, as mentioned above and furnish the identified documents with respect to application dated 28/07/2023, on the day of inspection.

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.

Sd/-

**Sanjay N. Dhavalikar**

State Information Commissioner  
Goa State Information Commission,  
Panaji-Goa.