

THE GOA STATE INFORMATION COMMISSION
Seventh Floor, Kamat Towers, Patto, Panaji, Goa.
CORAM: Smt. Pratima K. Vernekar,
State Information Commissioner.

Penalty 19/2017

In

Appeal No.116/2016

Bharat L. Kandolkar,
Vady, Candolim,
Bardez Goa.

....Appellant

V/s.

- 1. Public information Officer (PIO),
North Goa Planning and Development Authority,
Mala, Panaji Goa**
- 2. First Appellate Authority (FAA),
The Chairman,
North Goa Planning and Development Authority,
Mala,
Panaji Goa.**

.....Respondents

Decided on: 26/04/2017

ORDER

1. While disposing the appeal no. 116/SCIC/2016 the Commission had issued showcause notice to Respondent Public Information Officer (PIO) as to why the penalty action should not be taken against PIO for not responding application under section 6 (1) of the Right to Information Act 2005 (RTI Act).
2. The appellant submitted that the respondent have miserably failed to comply with the order of the First Appellate Authority (FAA) within time and the information came to be furnished to him after 10 months. Advocate for the appellant submitted that cost to be imposed on PIO for dereliction of his duties.
3. It is submitted by respondent PIO that though the information was ready on 28/04/2016 to be supplied to the appellant as per the records of their office. Which

remained inadvertently in their office. The Respondent requested this Commission to condone said delay and tendered unconditional apology.

4. The Respondent PIO have admitted that there was delay in furnishing the information. The Respondent have contended that at para 2 that information was not furnished within time as case was under scrutiny and the information was not available with authority. However nothing substantiating the same produce on record by the PIO. Assuming for a while that the case was under scrutiny, the PIO ought to have informed the appellant regarding the said facts.
5. Since this is 1st lapse on the part of PIO before Commission and keeping in view of unconditional apology tendered by PIO, a lenient view is taken in this matter. I hereby admonish the PIO and direct him to be vigilant hence forth while dealing with RTI matters and any such lapse in future will be viewed seriously.

Pronounced in open proceedings.

Proceedings stands closed.

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.

Pronounced in the open court.

Sd/-

(Pratima K. Vernekar)

State Information Commissioner
Goa State Information Commission,
Panaji-Goa

