

GOA STATE INFORMATION COMMISSION

'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

Pen No. 39/2017

In Appeal 153/2016

Shri Jawaharlal T. Shetye,
H.no. 35/A Ward No. 11,
Near Sateri Temple,
Khorlim Goa.

..... Appellant

V/s.

1. First Appellate Authority,
Dy. Collector SDO-Bardez,
Mapusa Goa.

2. Public Information Officer
Mamlatdar of Bardez,(Madhu Narvekar)
Office at Government Complex,
Mapusa Goa.

..... Respondents

CORAM:

Smt. Pratima K. Vernekar, State Information Commissioner

Decided on:26/07/2017

ORDER

1. This commission , vide order dated 29/5/2017 , while disposing the above Appeal , had directed the Respondent No.1 PIO to give clear and pointwise reply to the Appellant in respect of his RTI application dated 11/4/16 ,also directed public Authority to take necessary steps in the implementation of section 4(1) (a) and 4(1) (b) of RTI ACT and had also directed the then PIO , to show cause as to why the compensation , penalty and disciplinary action as provided u/s 20 (1) and 20(2) should not be initiated against him for not responding to the application of the appellant as required u/s 7(1) of RTI Act .In view of the said order passed by this commission on 29/5/17, the proceedings stood converted into penalty proceedings .

2. Accordingly the show cause notice was issued to then PIO on 15/6/17.
3. The present PIO shri Dasharat Gawas on 22/6/17 furnished the point wise information to the appellant and also informed the commission vide their application dated 4/7/17 that the process of uploading and updating their website is under process .The copies of the above replies were furnished to the Appellant .
4. The then PIO Shri Madhu Narvekar vide his reply dated 4/7/2017 to the show cause notice have contended that at that particular time the said information was not traceable .He further contended that he was busy with other administrative duties and on those grounds he requested to withdraw the show cause notice issued to him .
5. On 13/7/2017 the Appellant submitted that since process of implementation of section 4 of RTI act is in progress and as the information which came to be furnished to him in compliance of the order of this commission , is as per his satisfaction as such he is not pressing for penal action against the Respondent PIO .Accordingly he endorsed his say on the reverse page of application dated 22/6/17.
6. In view of the submissions of the Appellant and also as there is nothing brought on record by the Appellant that such lapses on the part of then PIO Shri Madhu Narvekar is persistent ,a lenient view is taken in the present matter . The then PIO is hereby directed to be vigilant henceforth while dealing with the RTI matters and any such lapse in future will be viewed seriously .

Proceedings 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/-
(Ms. Pratima K. Vernekar)
State Information Commissioner
Goa State Information Commission,
Panaji-Goa

