

**GOA STATE INFORMATION COMMISSION**  
Kamat Towers, seventh Floor, Patto, Panaji, Goa

**Shri Prashant S. P. Tendolkar,**  
State Chief Information Commissioner

**Penalty No.21/2019/CIC**  
**in**  
**Appeal No.172/2018/CIC**

Jawaharlal T. Shetye, Khorlim,  
H. No.35/A, Ward No.11,  
Khorlim, Mapusa –Goa. 403507

..... Appellant

V/s

The Public Information Officer,  
Mapusa Municipal Council,  
Mapusa- Goa 403507.

..... Respondent.

Dated: 16/10/2019.

**O R D E R**

- 1) At the time of deciding the above referred appeal by order dated 19/10/2018 this commission had come to an opinion that the PIO, Mapusa Municipal Council, has without any reasonable cause withheld the information as sought by the appellant. In view of such opinion this Commission by said order dated 19/10/2018 has directed the appellant to furnish the name of the concerned PIO and thereafter to issue notice to show cause u/s 20(1) and 20(2) of the Right to Information Act 2005(Act).
- 2) Pursuant to said order on 05/1/2018 appellant filed in the appeal a memo submitting that Shri Venkatesh Sawant was the PIO from 11/12/2017 i.e. at the relevant time.
- 3) Pursuant to said memo this Commission by annexing copy of said order, dated 19/10/2018 by notice, dated

...2/-

Sd/-

28/06/2019, directed Shri Venkatesh Sawant to show cause as to why penalty as provided u/s 20(1) and/or 20(2) of the Act, should not be imposed on him. Said notice was required to be replied on 19/07/2019.

- 4) As per the Track consignment, the said notice was received by said PIO Shri Venkatesh Sawant on 3/07/2019. In spite of service of such notice on said PIO, he failed to appear before this Commission on 19/07/2019 or thereafter nor filed any reply in spite of granting opportunities. On 29/08/2019, the date of hearing of the present proceedings was noted by APIO, Shri Vinay Agarwadekar. In spite of notice no cause is shown.
- 5) It is thus seen that in spite of service of notice of this proceedings, and in spite of granting several opportunities to the PIO Shri Sawant to show cause, the said notice is not responded to. In this circumstances I hold that the PIO Shri Venkatesh Sawant has no say to offer and no cause to be shown.
- 6) Considering the fact that the opinion of this Commission formed at the time of order, is not disputed by the PIO, I hold that the PIO has unreasonably failed to furnish the information as sought by the appellant.
- 7) In the result I find sufficient grounds to invoke the rights of this Commission u/s 20(1) and/or 20(2) of the Act. However considering the fact that this is the first matter against the said PIO before me, involving penalty a lenient view is taken by imposing a fine of Rs. 2500/-.
- 8) This Commission therefore directs the PIO Shri Venkatesh Sawant to pay a sum of Rs. 2500/- (Rupees Two Thousand Only) as penalty as contemplated u/s 20(1) of The Act. Said

...3/-

Sd/-

amount shall be deducted from the monthly salary payable to him for the month of November 2019 and remitted to the Government.

A copy of this order be also sent to chief officer, Mapusa Municipal Council and Directorate of Accounts for needful action at their end. Proceedings closed.

Pronounced in open hearing.

Sd/-

**(Prashant S. P. Tendolkar)**  
State Chief Information Commissioner  
Goa State Information Commission  
Panaji -Goa