

**GOA STATE INFORMATION COMMISSION**

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

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**Penalty No. 08/2022  
in  
Complaint No. 06/2021/SCIC**

Monica Cardozo,  
H.No. 996/B, Escrivao Waddo,  
Candolim, Bardez-Goa.

.....Complainant

V/S

The Public Information officer,  
The Secretary,  
Village Panchayat Office,  
Candolim-Goa.

.....Opponent

**Shri. Vishwas R. Satarkar**

State Chief Information Commissioner

**Filed on: 02/06/2022**

**Decided on: 10/10/2022**

**ORDER**

1. The Commission vide order dated 19/04/2022 in Complaint No. 06/2021/SCIC had come to the conclusion that the PIO of Village Panchayat Candolim, Bardez-Goa had failed to furnish the information to the Complainant within stipulated time limit.
2. Pursuant to the order passed in the Complaint No. 06/2021/SCIC dated 19/04/2022, notice under Section 20(2) was issued to the Opponent PIO, Mr. Lourenco Ribeiro to show cause as to why penal action should not be taken against him for violating the provisions of the RTI Act.
3. In spite of valid service of notice, the PIO failed and neglected to appear for the penalty proceeding on 02/06/2022 and also remain absent all throughout thereafter for hearings on 08/07/2022, 28/07/2022, 12/09/2022 and 10/10/2022 or filed his reply or affidavit showing reasonable cause for delay in furnishing the information to the Complainant.
4. Even after ample opportunities the PIO did not appear before the Commission or filed his say in the matter, affirm his contention

thereby shown lack of concern to the order of the Commission, which is detrimental to the implementation of provisions of the Act.

5. For the aforesaid reason, the Commission is of the view that, the PIO has failed to prove that he has acted reasonably and diligently and also failed to show reasonable cause for not providing purported information within stipulated time.
6. The representative of the Complainant, Mr. Savio Brito submitted that, in the entire proceeding, the approach of the PIO is causal and trivial and he is a habitual offender of the RTI Act.

He further submitted that due to irresponsible attitude of the PIO, the Complainant was put to unnecessary hardship and emphasised for imposition of penalty.

7. The High Court of Bombay, Goa Bench in the case of **Jonhson B. Fernandes v/s the Goa State Information Commission & Anrs. (2012 (1) ALL MR 186)** has held that, law contemplates supply of information by the PIO to party who seeks it, within the stipulated time. Therefore, where the information sought was not supplied within 30 days, the imposition of penalty upon the PIO was proper.
8. Considering the fact that, RTI Act is beneficial piece of legislation and the whole purpose of the Act is to secure access of information under the control of public authorities in order to promote transparency and accountability in the working of every public authority and in the view of precedent of the High Court of Bombay in **Mr. Jonhson Fernandes case**, I find it fit case for imposition of penalty in terms of section 20(2) of the Act.
9. In view of above discussion and in exercise of power granted under Section 20(1) of the Act, I hereby direct the then PIO, Mr. Lourenco Ribeiro, presently posted as a Secretary of village

Panchayat Verla-Canca, Bardez Goa to pay sum of **Rs. 10,000/- (Rupees Ten Thousand only) as penalty**. The said penalty shall be deducted from the monthly salary of the PIO. The penalty so deducted shall be credited to the Government account. Registry is directed to send a copy of this order to the Director, Directorate of Panahayat, Panaji-Goa for the information and necessary action.

- Proceeding closed.
- Pronounced in open court.
- Notify the parties.

Sd/-

**(Vishwas R. Satarkar)**

State Chief Information Commissioner