

GOA STATE INFORMATION COMMISSION

“Kamat Towers” 7th Floor, Patto Plaza, Panaji, Goa – 403 001

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Shri. Sanjay N. Dhavalikar, State Information Commissioner

Penalty No.29/2022

In

Appeal No. 148/2021/SIC

Mr. Nazareth Baretto,
R/o. H.No. 126, Borda,
Margao, Salcete-Goa 403602.

-----Appellant

v/s

The Public Information Officer,
The Administrator of Comunidades,
South Zone,
At Margao, Salcete-Goa.

-----Respondent

Relevant dates emerging from penalty proceeding:

Order passed in Appeal No. 148/2021/SIC	: 18/08/2022
Show cause notice issued to PIO	: 23/08/2022
Beginning of penalty proceeding	: 29/09/2022
Decided on	: 31/10/2022

ORDER

1. The penalty proceeding has been initiated against Shri. Vishal Kundaikar, Respondent Public Information Officer (PIO), Administrator of Comunidades, South Zone, Margao under Section 20 (1) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') for contravention of Section 7 (1) of the Act.
2. During the hearing on 29/09/2022 Shri. Vishal Kundaikar, the then PIO appeared and filed reply. Shri. Vishal Kundaikar stated that, the office of the PIO has furnished the information which was available in the records and that he requests for withdrawal of show cause notice.
3. Shri. Nazareth Baretto, appellant, who was present on the same day, i.e. 29/09/2022 acknowledged the receipt of the information and stated that, he is satisfied with the information furnished by the PIO and that he requests the Commission to withdraw the penalty

proceeding initiated against the PIO. Appellant has submitted the said request with his signature in the penalty proceeding file.

4. The Commission notes that the PIO has apologised for the delay in furnishing the information and has undertaken to abide by the provisions of the Act henceforth. Thus, the Commission is of the opinion that there is no further need to proceed in the present proceeding. Accordingly, show cause notice issued against Shri. Vishal Kundaikar, PIO stands withdrawn and the penalty proceeding is dropped.

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

