

GOA STATE INFORMATION COMMISSION

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

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**Penalty No. 15/2021
in
Appeal No. 13/2021/SCIC**

Shri Jairam N. Kerkar,
H.No.123/2, Cuxem,
Corjuem, Aldona,
Bardez-Goa 403508

-----Appellant

v/s

1. The Public Information Officer,
Dnyanprakash Mandal of Bicholim Higher Secondary School,
Mulgao, Assonora-Goa 403503.

2. The First Appellate Authority,
Dy. Director of Education,
North Education Zone,
Mapusa Goa.

-----Respondents

Shri Vishwas R. Satarkar - State Chief Information Commissioner

Filed on: 03/01/2022

Decided on: 27/04/2022

ORDER

1. While disposing the above referred appeal no. 13/2021/SCIC by order dated 11/11/2021, this Commission had directed the PIO to furnish the information free of cost to the Appellant within the period of 15 days from the date of receipt of the order.

The PIO, Ms. Selina D'Mello, the Principal of Dnyanprakash Mandal of Bicholim Higher Secondary School, Mulgao, Assonora-Goa was also directed to show cause as to why penalty should not be impose on her in terms of section 20 (1) and /or section 20 (2) of the Right to Information Act, 2005 (hereinafter to be referred as Act).

2. The PIO, Ms. Selina D'Mello, Prinicpal of DMB Higher Secondary, Mulgao appeared on 24/03/2022 and filed her reply in the

proceeding and matter was posted for arguments on 18/04/2022.

3. During the course of arguments the PIO submitted that, she has complied with the order of the Commission promptly and furnished all the information to the Appellant on 23/03/2022 and to substantiate her claim she produced on record the letter dated 23/03/2022.

She further submitted that, due to lock-down imposed from time to time in 2020 and 2021 furnishing of information was delayed and that she has not willfully suppressed the information and that she acted in good faith and with bonafide intention.

4. The PIO also pointed out the acknowledgement of Appellant having received the information on 23/03/2022.
5. In spite of a valid service of notice, the Appellant did not appear before the Commission for hearings. I therefore presume and hold that the Appellant is satisfied with the information provided by the PIO.
6. Since the PIO has furnished all the information promptly to the Appellant and also in view of the remorse as expressed by the PIO for delay in furnishing the information a lenient view is taken.

Show cause notice dated 23/11/2021 issued in the penalty proceeding is dropped. Pronounced in Open Court. Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner

