

GOA STATE INFORMATION COMMISSION

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

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**Penalty 34/2022
in
Appeal No. 63/2022/SCIC**

Shri. Jawaharlal T. Shetye,
H.No. 35/A, Ward No. 11,
Khorlim, Mapusa-Goa.

.....Appellant

V/S

1. The Public Information Officer,
The Secretary,
Village Panchayat Verla Canca,
Verla-Canca, Bardez-Goa.

2. The First Appellate Authority,
Block Development Officer-I,
Mapusa, Bardez-Goa 403507.

.....Respondent

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 07/10/2022

Decided on: 28/02/2023

ORDER

1. While disposing the appeal bearing No. 63/2022/SCIC, the Commission vide its order dated 24/08/2022 directed the Public Information Officer (PIO), the Secretary of Village Panchayat Verla Canca, Bardez-Goa to comply with the order of the First Appellate Authority (FAA) and provide the information free of cost to the Appellant as per his RTI application dated 02/12/2021 within a period of 15 days from the date of receipt of the order.
2. The Commission also issued show cause notice to the said PIO, as to why penalty should not be imposed on him in terms of Section 20(1) and/ or recommend disciplinary proceeding against him in terms of Section 20(2) of the Act.
3. Pursuant to the notice, Adv. Anjali Chodankar appeared and filed her reply on 07/10/2022.

4. Through the reply dated 07/10/2022 the PIO contended that, he was not the designated PIO when the hearing was conducted before the FAA and he was not aware about any order passed by the FAA on 25/01/2022.
5. Further according to him, he has joined in the office of Village Panchayat Verla Canca, Bardez-Goa in the month of June 2022 and he was not incharge when the RTI application was filed by the Appellant.
6. The PIO also contended that upon the receipt of the order of this Commission, he immediately searched the records of the Village Panchayat Verla Canca and issued letter to the Appellant on 09/09/2022, calling upon to him for inspection of the relevant file.

Further according to the PIO, upon receiving the intimation, the Appellant visited the office of the PIO at Village Panchayat Verla Canca and inspected the entire records.

7. During the course of hearing on 12/12/2022, the Appellant appeared and submitted that, the incumbent PIO granted him the inspection of records and that he is satisfied with the cooperation extended by the PIO.
8. On scrutinising the records, it reveals that the incumbent PIO has complied the order of the Commission and furnished the information to the Appellant in the form of inspection or records and he is satisfied with the information provided by the PIO. Since the incumbent PIO was not designated PIO at the relevant time, he cannot be held responsible for the delay caused in providing the information.
9. In the light of above facts and circumstances, the show cause notice dated 26/08/2022 issued in the present penalty proceeding against the PIO is dropped.

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

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner