

**GOA STATE INFORMATION COMMISSION**

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**Penalty No. 35/2022**

**in**

**Appeal No. 309/2021/SCIC**

Dr. (Ms.) Kalpana V. Kamat,  
Caldeira Arcade, 1<sup>st</sup> Floor, 'B' Block,  
Bhute Bhat, Vasco-da-Gama,  
Goa 403802.

.....Appellant

V/S

1. The Public Information Officer,  
Mormugao Municipal Council,  
Vasco-da-Gama, Goa 403802.

2. First Appellate Authority,  
Mormugao Municipal Council,  
Vasco-da-Gama, Goa 403802.

.....Respondents

**Shri Vishwas Satarkar** - State Chief Information Commissioner

**Filed on:- 28/10/2022**

**Decided on: 09/02/2023**

**ORDER**

1. While disposing the Appeal bearing No. 309/2021/SCIC, the Commission by its order dated 19/09/2022, directed the show cause to the (i) Mr. Francisco X. Rodrigues (ii) Diniz De Mello, the Public Information Officer (PIO) of the Mormugao Municipal Council, Vasco-da-Gama, Goa as to why the penalty should not be imposed on them in terms of Section 20(1) and/ or recommend disciplinary proceeding against them in terms of Section 20(2) of the Act.
2. On receipt of the show cause notice, the then PIO Shri. Francisco X. Rodrigues and Shri. Diniz De Mello appeared on 28/10/2022 alongwith the incumbent PIO, Shri. A. Misquita and Shri. Uday Wadkar and submitted that they will comply the order of the First Appellate Authority (FAA) and the Commission.

3. To sort the issue amicably, the Commission directed the PIO to provide inspection of records. With the consent of both the parties, the Commission fixed the date and time for the inspection of file viz 02/12/2022 between 10:30 am to 11:30 am in the office of the PIO, Mormugao Municipal Council at Vasco-da-Gama, Goa and directed the Appellant to furnish the information in the form of inspection of records and thereafter by furnishing the copies of the documents as are sought by the Appellant and matter was posted for compliance on 13/12/2022.
4. During the course of hearing on 13/12/2022, the PIO appeared alongwith Adv. V.V. Pednekar and submitted that as per the directions of the Commission, the Appellant has carried out the inspection of the file on 02/12/2022 from 10:30 am to 11:30 am in the office of the PIO at Mormugao Municipal Council at Mormugao Goa. Being the information sought for was voluminous he sought time to furnish the information to the Appellant. Accordingly time was granted. In order to avoid turmoil, the Commission also directed the PIO to furnish point wise reply / information to the Appellant and matter fixed for compliance on 17/01/2023.
5. In the course of hearing on 17/01/2023, the PIO, Shri. Augustino Misquita appeared and submitted that he has furnished all the available information free of cost to the Appellant on 11/01/2023 and to substantiate his claim he produced on record the point wise reply dated 11/01/2023 with the endorsement of the Appellant. However, the Appellant submitted that she is not satisfied with the information provided by the PIO.
6. Considering the long list of vague, varied and general information sought by the Appellant and a sweeping query raised up in this second appeal by the Appellant, it would certainly divert the resources of the public authority which is time consuming and

unproductive. Though, the Appellant claims that information furnished is incomplete there is nothing produced on record to show as to what would constitute the complete information. The information to be furnished is the one which and as it exist. All information cannot to be satisfaction of the seeker.

7. In the light of above fact and circumstances and considering that purported information has been furnished by the incumbent PIO to the Appellant free of cost, the show cause notice dated 27/09/2022 issued in the Appeal proceeding bearing No. 309/2021/SCIC against the PIO (i) Mr. Francisco X. Rodrigues and (ii) Diniz De Mello is dropped.

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

Sd/-

**(Vishwas R. Satarkar)**

State Chief Information Commissioner