

**GOA STATE INFORMATION COMMISSION**

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

Tel No. 0832-2437908/2437208 email: [spio-gsic.goa@nic.in](mailto:spio-gsic.goa@nic.in) website: [www.gsic.goa.gov.in](http://www.gsic.goa.gov.in)

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**Penalty 37/2022  
in  
Appeal No. 43/2021/SCIC**

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

.....Appellant

V/S

1. The Public Information Officer,  
The Secretary,  
Village Panchayat Verla-Canca,  
Verla-Canca, Bardez-Goa 403507.

2. The First Appellate Authority,  
Block Development Officer,  
Office at Government Complex,  
Mapusa-Bardez-Goa 403507.

.....Respondents

**Shri. Vishwas R. Satarkar**

State Chief Information Commissioner

**Filed on: 11/11/2022**

**Decided on: 10/05/2023**

**FACTS IN BRIEF**

1. While disposing the appeal bearing No. 43/2021/SCIC, the Commission vide its order dated 28/09/2022 directed the Public Information Officer (PIO), the Secretary of Village Panchayat Verla-Canca, Bardez-Goa to comply the order of the FAA and provide the information free of cost to the Appellant as per his RTI application dated 05/12/2020 within a period of fifteen days.
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 to initiate disciplinary proceeding against him in terms of Section 20(2) of the Act.
3. Pursuant to the notice, the incumbent PIO filed his say through entry registry on 07/12/2022. As per the say of the present PIO, Shri. Ashok L. Naik was the Secretary and designated PIO of Village Panchayat Verla- Canca at the relevant time. He has forwarded

the copy of the show cause notice to Shri. Ashok L. Naik, who is now attached to the office of Block Development Office at Mapusa, Bardez-Goa.

4. In the interest of justice and fairness fresh show cause notice was issued to the then PIO, Shri. Ashok L. Naik to appear in the matter.
5. The then PIO, Shri. Ashok L. Naik appeared and submitted that he was not the designated PIO when hearing was conducted before the First Appellate Authority and he is unaware of any order of the FAA dated 02/02/2021. He also further contended that he did not receive any notice of the Commission with regards to the proceeding of the second appeal as he was transferred from the office of the Village Panchayat Verla-Canca, Bardez-Goa. Considering the above, the Commission directed the PIO to produce on record the copy of transfer order to support his claim.
6. During the course of hearing on 27/04/2023, the then PIO Shri. Ashok L. Naik appeared and filed his reply and also placed on record the copy of transfer order dated 15/06/2022 and copy of relieving order dated 23/12/2021. Upon scrutinising the above documents, it reveals that Shri. Ashok L. Naik was not the designated PIO at the relevant time, therefore he cannot be held liable for the lapse in providing rest of the information.
7. It is seen from the records that, the Appellant is not interested in the appeal proceeding as he neither appeared in the matter nor took any steps to furnish the name of the errant PIO, despite granting ample opportunities.
8. Since both the parties remained absent continuously for long time, I find no reason to keep the matter pending, consequently the proceeding is closed. The show cause notice dated 06/11/2022 and

28/02/2023 issued in the present appeal proceeding against the PIO is dropped.

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

Sd/-

**(Vishwas R. Satarkar)**  
State Chief Information Commissioner