

GOA STATE INFORMATION COMMISSION
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Appeal No. 128/2024/SIC

Shri. Tulshidas B. Kudnekar,
r/o. Donwaddo, Saligao,
Bardez-Goa 403511.

..... **Appellant**

V/s

1. The Public Information Officer.
Village Panchayat of Saligao,
Bardez-Goa.

2. The then PIO,
Ashok Naik,
Village Panchayat Saligao,
Bardez-Goa.

..... **Respondents**

Shri. Atmaram R. Barve

State Information Commissioner

Filed on: 05/06/2024
Disposed on: 10/12/2025

O R D E R

1. The present second appeal arises out of Right to Information (RTI) application dated 29/02/2024 made by Shri. Tulshidas B. Kudnekar, Appellant herein and addressed to the Public Information officer (PIO) at Village Panchayat Saligao, Bardez Taluka.
2. On account of no response from the PIO within stipulated time period of 30 days, the Appellant herein preferred 1st appeal before the competent authority vide appeal memo dated 12/04/2024

3. The First Appellate Authority (FAA) vide his order dated 10/05/2024 directed the said PIO to furnish the information within 15 days from the said order.
4. Thereafter citing non-compliance of the directions of the FAA, the Appellant herein preferred second appeal before this Commission vide appeal memo dated 05/06/2024.
5. Current PIO, Smt. Pravisha Bhonsle informed this Commission that relevant PIO in the present matter is Shri. Ashok L. Naik presently serving as Panchayat Secretary at Village Panchayat Latambarcem in Bicholim Taluka.
6. Vide submission dated 27/12/2024, the present PIO Smt. Pravisha Bhonsle submitted before this Commission that she has already provided information to the Appellant vide Registered AD dated 20/12/2024 and she had already served notice of the second appeal to the relevant PIO, Shri. Ashok Naik accordingly.
7. The Appellant vide written synopsis dated 21/07/2025 informed this Commission that information provided to him is incomplete. The relevant PIO, Shri. Ashok Naik submitted his reply dated 06/05/2025 wherein he contended that the information sought by the Appellant is not available with the Panchayat and that information cannot be created.
8. On 06/05/2025, this Commission directed the PIO, Shri. Ashok Naik to provide fresh inspection of the documents to the Appellant on 15/05/2025 by taking necessary assistance of the present PIO, Smt. Pravisha Bhonsle and further directed the PIO's to clearly record the minutes of the said inspection and submit compliance report on 02/06/2025.

9. On the hearing date 07/07/2025, the Appellant drew attention of this Commission that directions dated 06/05/2025 have not been complied by the PIO. This Commission issued show cause notice to Shri. Ashok Naik who was also present on the said hearing directing him to furnish reply to show cause notice by remaining present on 21/07/2025.

10. On hearing dated 10/09/2025, one Adv. A. Chodankar appeared for the PIO and filed memo of appearance of compliance of directions dated 06/05/2025 wherein it was alleged that Appellant herein did not turn up for the inspection and that minutes were recorded and were supposed to be submitted on 07/07/2025 and that this Commission did not conduct any hearing on 07/07/2025.

11. This Commission took a strong objection to the fundamentally wrong allegations made by the Respondent PIO's Advocate and highlighted that on the hearing dated 07/07/2025, the said PIO was present personally and show cause notice was issued on same day and yet PIO through his advocate made an audacious attempt to make such a bizarre and baseless statement.

12. A fresh show cause notice was issued on 10/09/2025 seeking reply from the PIO, Shri. Ashok Naik; failing which disciplinary action shall be recommended.

13. On 04/11/2025, Adv. S. Kalangutkar appeared for the PIO and contended that show cause notice was not been received and as such additional time may be given.

14. This Commission gave the PIO an additional time period of 4 weeks to file his reply and directed him to remain present on present date of hearing. It is noteworthy that, the

Respondent PIO, Shri. Ashok Naik has failed to remain present yet again and has not submitted any reply to the show cause notice.

15. In view of the above, this Commission is of considered opinion as under:-

- a. The conduct of the relevant PIO, Shri. Ashok Naik is highly deplorable and reeks of utter disregard towards the RTI Act as well as the authorities constituted therein.
- b. Firstly, by not furnishing the information within stipulated time period. Secondly by not complying with the directions of the FAA and on continuous occasions by dishonouring the directions of this Commission; the said PIO, Shri. Ashok Naik has caused malafide denial of information and has acted against the responsibilities entrusted upon him under RTI Act, thereby attracting penalty under Section 20(1) of the RTI Act, 2005.

16. Therefore the present second appeal is disposed with following orders:-

- a. The present second appeal is upheld.
- b.** The Director, Directorate of Panchayat, Government of Goa is hereby directed to conduct an immediate inquiry against Shri. Ashok L. Naik, Village Panchayat Secretary for his gross misconduct in discharging duty as the PIO and also initiate disciplinary action as applicable under relevant service rules and complete said exercise on or before 20/01/2026 and submit compliance report to that effect on **28/01/2026 at 11.00 am.**

c. Shri. Ashok L. Naik, Village Panchayat Secretary has attracted penalty of **Rs.25,000/- (Rupees Twenty-Five Thousand only)** and the Director, Directorate of Panchayat is hereby directed to recover the said amount from the salaries and allowances of the said Shri. Ashok L. Naik. The Director, Directorate of Panchayat shall also ensure that fee of advocate representing the said PIO are not to be paid from Panchayat fund or State exchequer and compliance of same shall be furnished on 28/01/2026.

d. The present PIO at Village Panchayat Saligao be served a notice alongwith copy of this direction mandating a fresh inspection of documents to be provided to the Appellant herein on 20/01/2026 during working hours and all the relevant certified copies be given to the Appellant free of cost on same day.

e. Registry to issue show cause notice to the PIO seeking as to why no action shall be initiated for non-compliance at foregoing paragraph and the present PIO shall remain present in person alongwith reply to show cause notice and compliance report on **28/01/2026 at 11.00 am.**

- No order as to cost.
- Parties to be provided authenticated copies of the order.
- 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/-

(ATMARAM R. BARVE)

State Information Commissioner