

**GOA STATE INFORMATION COMMISSION**  
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

**Tel No. 0832-2437880/2437208** email: [spio-gsic.goa@nic.in](mailto:spio-gsic.goa@nic.in)  
website: [www.gsic.goa.gov.in](http://www.gsic.goa.gov.in)

---

**Appeal No. 76/2025/SIC**

Mr. Morris Maradona Carvalho,  
H.No. 190, Angod Wado,  
Mapusa, Bardez-Goa 403507.

..... **Appellant**

V/s

1. The Public Information Officer.  
Joint Civil Registrar cum Sub-Registrar Bardez-II,  
Government of Goa,  
Mapusa, Bardez-Goa.

2. The First Appellate Authority,  
District Registrar North,  
Government of Goa,  
Panaji-Goa. .... **Respondents**

**Shri. Atmaram R. Barve** State Information Commissioner

**Filed on: 25/03/2025**  
**Disposed on: 08/12/2025**

**O R D E R**

1. The present second appeal arises out of Right to Information (RTI) application dated 07/01/2025 made by the Appellant herein, Mr. Morris Maradona Carvalho and addressed to the Public Information officer (PIO) at office of Civil Registrar cum Sub-Registrar Bardez, Government of Goa.
2. Vide his application, the Appellant herein had sought certified copies of his own application for cancellation of marriage dated 02/12/2021 and had annexed copy of his original application for ready reference to the said PIO.

3. The relevant PIO, Smt. Malini Sawant vide reply dated 31/01/2025 informed the Appellant that search was made and the said information was not found.
4. Aggrieved by this reply, the Appellant preferred first appeal dated 06/02/2025 before the competent authority and vide Order dated 20/02/2025, the concerned authority upheld the contention of the Appellant and directed the PIO to conduct proper search and provide necessary information within 10 days from the said order.
5. Citing the grounds of denial of information as well as that of non-compliance of the order of the First Appellate Authority (FAA), the Appellant herein preferred second appeal before this authority on 25/03/2025. Notices were issued and matter came up to heard from 15/04/2025 onwards.
6. Vide reply to the appeal memo dated 15/04/2025, the PIO Smt. Malini Sawant contended that the information sought by the Appellant is covered within the exemption of disclosure under Section 8(1)(j) of the RTI Act, 2005 and that the said records was not found inspite of thorough search.
7. In response to the same, the Appellant put forth his written submission contesting all the submissions made by the PIO in his reply and highlighted that the PIO has failed to perform duties as per the letter and spirit of the RTI Act and also that the PIO has grossly failed to obey the order of the FAA.
8. Upon perusal of appeal memo, replies and written submission of both the parties, this Commission is of considered opinion as under:-
  - a. The PIO is the first and only point of contact for the information seeker from whom the information can be

disseminated. The Appellate Authority's also provide directions to the PIO which mandate dissemination of information which is the primary duty bestowed upon the PIO by the RTI Act, 2005.

- b. Considering these facts, it is the supreme responsibility of the PIO to examine every RTI application and respond to the same in very responsible manner.
- c. In the present context, there appears to be negligence on the part of the PIO by way of not conducting thorough search and also by not following the orders passed by the FAA.
- d. The PIO at this stage of second appeal takes a stand that the information sought by the Appellant is covered under Section 8(1)(j) of the RTI Act which comes across as an obvious attempt to evade the responsibility of complying with the orders of the FAA.
- e. The reply to the original RTI application does not find any mention of the said information being covered under Section 8(1)(j) of the RTI Act and thus exposes the non-application of mind and also seeking recourse to the afterthought of the PIO.
- f. The PIO has also failed to justify as to how the information sought by the Appellant pertains to his own application can be covered under Section 8(1)(j) of the RTI Act.
- g. The conduct of the PIO, Smt. Malini Sawant appears to be of gross negligence and also of that disregards towards the RTI Act and the authorities constituted thereunder.

9. Therefore in view of the above, the present second appeal is disposed with following orders:-

- a. The present second appeal is upheld.
- b. The present PIO, Shri. Piedade Dias having replaced Smt. Malinin Sawant is hereby directed to provide inspection of all the concerned documents and provide certified copies thereof free of cost to the Appellant in terms of his RTI application dated 07/01/2025 on 23/12/2025 during the working hours and record minutes of the said proceedings and inscribe his signature as well as seek acknowledgement of the Appellant herein on the said minutes.
- c. Registry to issue show cause notice to the present PIO, Shri. Piedade Dias seeking his reply alongwith minutes of the said proceeding as referred above by remaining present before this Commission on **08/01/2026 at 11.00 am**; failing which necessary penalty and disciplinary action shall be initiated against the same.
- d. The relevant PIO, Smt. Malini P. Sawant on account of her negligence in discharging her duties of the PIO have found to have attracted penalty of **Rs. 25,000/- (Rupees Twenty-Five Thousand only)** in terms of the Section 20(1) of the RTI Act, 2005.
- e. The State Registrar cum Head of Notary Services, Government of Goa is hereby directed to recover the said amount of Rs. 25,000/- from Smt. Malini P. Sawant on or before 23/12/2025 and submit compliance report on **08/01/2026 at 11.00 am** and also conduct an inquiry

into the said matter and submit detailed report on the same day.

- 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