

**GOA STATE INFORMATION COMMISSION**  
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**Shri. Atmaram R. Barve**

State Information Commissioner

**Appeal No. 30/2024/SIC**

Mr. Devidas Gopinath Panjekar,  
R/o. Podwal,  
Khorjuem, Aldona,  
Bardez-Goa 403508.

..... Appellant

V/s

1. The Public Information Officer (PIO),  
Village Panchayat of Aldona,  
Bardez-Goa 403508.

..... Respondents

**Filed on: 29/01/2024**  
**Disposed on: 04/02/2025**

**ORDER**

1. The present second Appeal arises out of Right to information Act, application dated 20/10/2023 by Shri. Devidas Gopinath Panjekar addressed to the Public Information Officer (PIO) at the Village Panchayat of Aldona.
2. The information sought by the Appellant herein was in connection to the work order bearing reference No. VPA/2023-24/646 dated: 16/06/2023.
3. Vide reply dated 17/11/2023 the Respondent PIO Smt. Navanya Goltekar informed the Appellant herein that "the complete file is sent to the Government for approval. The information will be provided to you after receiving the same."

4. Aggrieved by this reply the Appellant herein preferred the first Appeal on 21<sup>st</sup> November, 2023 citing the reason that information has not been provided to him.
5. The First Appellate Authority vide order dated 22/12/2023 directed the PIO to provide physical inspection of the documents as well as certified copies of the documents free of cost to the Appellant within 10 days from that order.
6. Thereafter citing the grounds that no information has been furnished to him even after issuance of the orders by the First Appellate Authority. The Appellant herein preferred the second appeal dated 29/01/2024.
7. Notices were issued and the matter was taken up from 26/02/2024 onwards in hybrid mode and the PIO undertook to furnish the information to the Appellant and thereafter the matter was fixed for hearing and compliance on 11/03/2024.
8. On account of the fact that the former State Information Commissioner has demitted office proceedings halted from March 2023 onwards and resumed from the month of October onwards.
9. On 3<sup>rd</sup> October, 2024 a showcase notice was issued to the concerned PIO seeking clarification on whether the information has been provided to the Appellant herein as undertaken by her on the first date of hearing.

10. The Respondent PIO has been absent consecutively on hearings dated 03/10/2024, 06/11/2024 and 20/11/2024.
11. On the hearing dated 20/12/2024 the Respondent PIO was represented by her Advocate who sought an additional opportunity to file reply to the show cause notice and as such directions were issued to submit reply to the showcause notice on or before 26/12/2024 and the matter was to be taken up for hearing on 03/02/2025.
12. In the mean time the PIO filed her reply to the Appeal memo dated 01/08/2024 on 10/10/2024, citing that the First Appellate Authority had given directions to her to provide inspection of the documents and certified copies therein to the Appellant here in, however, the Appellant did not make any attempt to approach the Office of the Respondent.
13. The Appellant herein also filed his written statements on 24/12/2024 and served an advance copy of the same onto the Respondent PIO.
14. The Respondent PIO inspite of the directions of this Commission and inspite of having been given additional opportunity, failed to file any reply to the Show Cause notice on or before 26/12/2024.
15. After a further passage of another 30 days the Respondent has come up with a reply which highlights a typographical error on the part of the Registry of this

Commission rather than addressing the core issue highlighted in the showcause notice dated 4/10/2024.

16. The matter was argued by both the parties and upon hearing both the parties this Commission is of the considered opinion as under.

- a) The Appellant herein had sought specific and pointwise information. The reply of the Public Information Officer was vague, ambiguous and without any mention of specificity of time for providing such information.
- b) The First appellate authority had given clear directions to the PIO. However, there is nothing on record to suggest that the PIO made any attempts to invite the Appellant herein for inspection of the documents sought by him.
- c) The stand taken by the PIO that the information seeker has to approach the PIO to ensure compliance of the directions given by the First Appellate Authority is farfetched, unacceptable and against the spirit of the RTI Act,
- d) The overall conduct of the PIO Smt. Navanya Goltekar reeks of negligence towards her duties as a Public Information Officer and also that of complete lack of regard towards the RTI Act and the authorities constituted there under.

e) Providing a vague reply to the RTI application, not honoring the order of the First Appellate Authority, continuous absenteeism during the proceedings of this matter, not responding to the showcause notice for more than 100 days and trying to find technical faults are to be seen as attempts to delay the matter and deny the information seeker his right to access the information sought by him.

17. In view of the above the PIO Smt Navanya Goltekar is found to have acted against the duties entrusted upon her under section 7 of the RTI Act, 2005 and has also become liable for imposing penalty as well as disciplinary in terms of section 20 of the said Act.

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

a) The present Appeal is allowed.

b) The PIO Smt. Navanya Goltekar is directed to immediately initiate steps to provide physical inspection of the concerned file and to provide certified copies there in to the information seeker on 28<sup>th</sup> February, 2025 during office hours.

c) The PIO Smt. Navanya Goltekar is directed to provide a physical inspection of the

concerned documents and provide certified copies of the relevant information to the Appellant herein free of cost on 28/02/2025 during working hours.

- d) In case Smt. Navanya Goltekar has been transferred to any other Panchayat, she should seek the assistance of the present PIO of Village Panchayat Aldona and comply with the directions above.
- e) The present PIO of Village Panchayat Aldona is also directed to provide complete assistance in terms of the directions above.
- f) Registry to ensure that showcause notice is issued to Smt. Navanya Goltekar as well as the present PIO of Village Panchayat Aldona seeking clarification as to why no penalty or disciplinary proceedings should not be initiated. Both to remain present alongwith the reply to the show cause notice on 03/03/2025 at 11.00 a.m. failing which necessary penalty and disciplinary proceedings to be initiated.
- g) Director, Directorate of Panchayat, Govt. of Goa to ensure that the Advocate engaged by the PIO Smt. Navanya Goltekar is not paid from Panchayat funds or from the state exchequer.

h) All the parties concerned to be served with  
authenticated copies of this order.

Appeal disposed off with no order as to cause.

Pronounced in the open court.

Notify the parties.

Authenticated copies of the Order should be given to the  
parties free of cost.

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