

**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)

**Shri. Atmaram R. Barve**

State Information Commissioner

**Complaint No. 06/2024/SIC**

Shri. Jawaharlal T. Shetye,  
H. No. 35/A, Ward No. 11,  
Khorlim-Mapusa, Goa, 403507

.....Complainant

V/s

Public Information Officer (PIO)  
Shri. Rajendra Bagkar & Nilesh Lingudkar,  
Mapusa Municipal Council,  
Mapusa-Goa, 403507

.....Opponent

Filed on: 29/01/2024

Decided on: 07/04/2025

**ORDER**

1. The present complaint proceedings arise out of order dated 21/12/2023 passed by this Commission in Appeal No. 234/2023/SIC.
2. The said appeal was pertaining to Right to Information Application dated 16/03/2023 filed by Shri. Jawaharlal Shetye and addressed to the Public Information Officer (PIO) of Mapusa Municipal Council.
3. The relevant Public Information Officer (PIO) when the cause of action arose in this matter was Shri. Rajendra Bagkar, who during the pendency of the said Appeal was replaced by Shri. Nilesh Lingudkar who is the relevant PIO at the time when this Commission passed orders in the said Appeal.

4. This Commission had directed the relevant PIO to furnish the necessary information to the Complainant herein Shri. Jawaharlal Shetye within 20 days from 21/12/2023.
5. Thereafter, citing non compliance of the said order the Complainant preferred the present Complaint dated 29/01/2024.
6. Notices were issued and matter came up for hearing from 27/02/2024 onwards.
7. However, on account of former State Information Commissioner demitting office there was no progress in the matter and proceedings resumed from 07/11/2024 onwards.
8. It is noteworthy that the PIO Shri. Rajendra Bagkar has not made any submissions in this matter in view of the directions of this Commission in the order dated 21/12/2023.
9. The subsequent PIO Shri. Nilesh Lingudkar attended hearings in the present complaint proceedings and vide application dated 07/04/2025, proposed to provide pointwise reply to the Complainant in terms of his original RTI application.
10. Vide his endorsement on the said application the Complainant herein submitted that the information

furnished by the PIO Shri. Nilesh Lingudkar is irrelevant and misleading.

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

- a) Public Information Officer (PIO) Shri. Rajendra Bagkar has failed to discharge his duties and has also failed to comply with the orders of this Commission dated 21/12/2023 in appeal No. 234/2023/SIC.
- b) Public Information Officer Shri. Nilesh Lingudkar had replaced Shri. Rajendra Bagkar as the PIO and was fully aware of this matter and also of the orders passed by this Commission.
- c) The conduct of both the relevant PIO's has been completely against the spirit of the RTI Act and the authorities constituted there in.
- d) Inaction on the part of Shri. Rajendra Bagkar and the act of providing misleading information on the part of Shri. Nilesh Lingudkar have both caused grave prejudice to the right of the information seeker in this matter.
- e) The conduct of both the consecutive PIO's has to be seen exclusively as denial of information thereby attracting penalty severally under

section 20(1) of the Right To Information Act 2005.

12. Therefore, the present complaint proceedings are disposed with the following orders:-

- a. The contentions in the Complaint No. 06/2024/SIC are upheld.
- b. Public Information Officer (PIO) Shri. Rajendra Bagkar has been found guilty of non furnishing of the information within the stipulated time period as well as non compliance of the directions of Goa State Information Commission and shall pay the penalty of Rs. 25000/- (Rupees Twenty Five Thousand Only) forthwith.
- c. Public Information Officer (PIO) Shri. Nilesh Lingudkar has been found guilty of non compliance of the orders of the Goa State Information Commission as well as for providing irrelevant and misleading information and thus shall pay a penalty of Rs. 25000/- (Rupees Twenty Five Thousand Only) forthwith.
- d. The Director, Directorate of Municipal Administration Govt. of Goa is directed to recover the said Penalty from both the Officer's named above respectively and submit a compliance report towards the same within 15 days of receipt of this order or 28/04/2025 whichever is earlier.

- e. The present Public Information Officer at Mapusa Municipal Council is directed to reassess the RTI application dated 16<sup>th</sup> March, 2023 made by the Complainant herein, on or before 25<sup>th</sup> April, 2025 and provide pointwise and relevant information to the Complainant herein and submit the compliance report to that effect before this Commission in person on 28/04/2025.
  
- f. Registry to issue a showcase notice to the present Public Information Officer of the Mapusa Municipal Council through the Director-Directorate of Municipal Administration Govt. of Goa as to why no action should be initiated incase the orders of this Commission are not complied with. The present PIO is directed to remain present with the reply to the showcase notice on 28/04/2025 at 11.00 a.m. before this Commission, failing which separate penalty and disciplinary proceedings shall be initiated against the same.
  
- g. Pronounced in the open court.

proceeding stands closed.

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