

**GOA STATE INFORMATION COMMISSION**

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**Shri. Atmaram R. Barve**

State Information Commissioner

**Complaint No. 03/2024/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 the non-compliance of the order dated 21/12/2023 in Appeal No. 240/2023/SIC.
2. The Appellant Shri. Jawaharlal Shetye vide his Right To Information (RTI) application dated 9/02/2023 addressed to the Public Information Officer (PIO) at Mapusa Municipal Council had sought certified copies of trade and establishment licenses and sign board licenses issued to various traders listed in detail in his application.
3. The relevant PIO when the cause of action arose was Shri. Rajendra Bagkar.
4. The State Information Commission had directed the PIO to provide information to the Appellant herein within 20 days from the passing of the said order.
5. Citing non compliance of the said order Shri. Jawaharlal Shetye filed his complaint dated 29/01/2024 after which

notices were issued and complaint proceedings commenced from 27/02/2024 onwards.

6. Thereafter, on account of the former State Information Commissioner demitting office there was no progress and proceedings commenced from 07/11/2024 onwards, after resumption of regular proceedings.
7. On the hearing dated 19/03/2025 the relevant PIO Shri. Rajendra Bagkar undertook to furnish the information to the Complainant latest by 4/04/2025 and to submit compliance report by 7/04/2025.
8. On the present day of hearing Shri. Rajendra Bagkar furnished a submission containing the information sought by the Complainant.
9. However, the Complainant pointed out that the information provided pertains to only the payment history and no copies of the trade license or sign board license has been furnished by the said Public Information Officer (PIO).
10. In view of the above this Commission is of the considered opinion as under:-
  - a) The Public Information Officer in the instant matter has failed to recognize that he was under directions of this Commission to comply with the orders dated 21/12/2023 and furnish information to the Complainant herein within 20 days from the said order.
  - b) Even after, a complaint was registered before this Commission, there is no material on record to even remotely suggest that the said PIO Shri. Rajendra Bagkar or the subsequent PIO's made any attempts to furnish the information to the Complainant, honoring the orders of this Commission.

- c) The conduct of the relevant Public Information Officer (PIO) Shri. Rajendra Bagkar is found to be casual, and that of complete disrespect and disregard towards the Right to Information Act as well as the authorities constituted there under.
- d) If left unattended, this matter would set a wrong precedent and encourage unruly behavior on the part of the Public Information Officer's at large.
- e) Even after getting enough time and even after making submissions before this Commission the PIO has not furnished information and on the contrary has provided completely misleading information to the information seeker without providing any justification whatsoever, thereby attracting penalty as envisaged under section 20 (1) of Right To Information Act, 2005

11. Therefore, in view of the above the present complaint proceedings are disposed with the following orders:-

- a) The Complainants contentions in the present proceedings are upheld.
- b) The PIO Shri. Rajendra Bagkar is found to have not complied with the orders of this Commission and has thus denied information to the seeker and hence a maximum penalty of Rs. 25000/- (Rupees Twenty Five Thousand) is imposed against him.
- c) The Directorate of Municipal Administration Govt. of Goa is hereby directed to recover the said penalty amount from Shri. Rajendra Bagkar and submit it in the respective account head as per procedure and submit a compliance report on or before 28<sup>th</sup> April, 2025.

d) Shri. Rajendra Bagkar, Shri. Nilesh Lingudkar or any other person presently discharging the duties as the Public Information Officer in the Mapusa Municipal Council is directed to reassess the RTI application dated 09/02/2023 within the period of 15 days from the receipt of this order or 25/04/2025 whichever is earlier, provide relevant information to the Complainant herein and submit a compliance report to that effect on 28/04/2025 at 11.00 a.m. by remaining present in person before this Commission.

e) Registry is hereby directed to issue a showcause notice to the present Public Information Officer (PIO) through the Director-Directorate of Municipal Administration Govt. of Goa seeking reply as to why no action should be initiated against the said PIO. The said PIO is directed to remain present alongwith a reply to the said showcause notice on 28/04/2025 at 11.00 a.m. failing which separate penalty and disciplinary proceedings shall be initiated against the same.

f) Registry to provide authenticated copies of this order to all the relevant parties in the time bound manner.

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