

Appeal No. 160/2025/SIC

Shri. Anil Bhanu Kambli,
H. No. 63, Ward No. 7,
Chimbel- Goa. 403006.

..... **Appellant**

V/s

1.The Public Information Officer (PIO),
O/o the Dy. Collector S.D.O.,
Panaji, Tiswadi-Goa.

2.The First Appellate Authority (FAA),
O/o the Dy. Collector S.D.O.,
Panaji, Tiswadi-Goa.

.....**Respondents**

Shri. Atmaram R. Barve

State Information Commissioner

Filed on: 24/07/2025
Disposed on: 26/02/2026

ORDER

1. The present Second Appeal arises out of the Right to Information (RTI) application dated 02/04/2025 made by the Appellant herein Shri. Anil Bhanu Kambli and addressed to the Public Information Officer (PIO) at Office of the Dy. Collector and S.D.O. Tiswadi Goa, wherein the Appellant herein had sought documents pertaining to the partition proceedings in respect of Survey No. 21/7-E of Village Chimbel, Tiswadi Goa.
2. Thereafter citing the grounds that information has not been furnished within stipulated time period, the Appellant herein preferred the First Appeal before the competent authority vide application dated 26/05/2025.
3. Thereafter, citing the grounds that the PIO has not furnished any information and that the First Appellate Authority has failed to take up the First Appeal proceedings, the Appellant

herein preferred the Second Appeal before this Commission vide Appeal memo dated 24/07/2025.

4. Notices were issued and the matter came up to be heard from 08/10/2025 onwards.
5. On 08/10/2025, the PIO, Shri. Omkar Naik remained present and collected a copy of Appeal memo. Thereafter on 3 consecutive occasions i.e. on 11/11/2025, 18/12/2025 and 20/01/2026 the PIO remained absent and also failed to file any reply.
6. Therefore, this Commission issued a Show Cause Notice to the said PIO, Shri. Omkar Naik directing him to be present alongwith reply to the Show Cause Notice on the present day.
7. In spite of ample opportunities being given to the PIO of being heard before deciding the matter. The PIO has chosen to remain absent.
8. In view of the above this Commission is of considered opinion as under:
 - a. The PIO has completely displayed an utter disregard towards the RTI Act as well as the authorities constituted thereunder through his conduct.
 - b. Proviso to Section 20(1) of the RTI Act mandates that an opportunity be given to the PIO to be heard before imposing any penalty and by way of issuing Show Cause Notice dated 20/01/2026, remedy to that effect was provided to the PIO and by way of not responding to the said notice the PIO has attracted penalty in terms of Section 20(1) of the RTI Act.

- c. The FAA is an important adjudicating authority to provide relief to information seekers and in the instant manner by way of not hearing the First Appeal the FAA has brought a disrepute to itself.
9. Therefore in view of the above the present second appeal is disposed with following orders:-
- a. The present second appeal is allowed.
 - b. The PIO, Shri. Omkar Naik has attracted Penalty under Section 20(1) of the RTI Act and the Secretary, Department of Revenue, Government of Goa is hereby directed to recover a penalty of Rs. 25,000/- from the salaries and allowances of Shri. Omkar Naik on or before 10/04/2026 and furnish a compliance report to that effect before this Commission on 16/04/2026 at 11.00 a.m.
 - c. The PIO, Shri. Omkar Naik is hereby directed to furnish all the relevant information as sought by the Appellant herein vide his application dated 02/04/2025 free of cost on or before 10/04/2026 and to record minutes of proceedings pertaining to issuance of this information and seek the signature of Appellant acknowledging the same. The said proceedings shall be attached to the compliance report and filed by the PIO in person before this Commission on 16/04/2026 at 11.00 a.m. failing which separate disciplinary proceedings shall be initiated against him.
 - d. The Secretary, Department of Revenue, Government of Goa is also hereby directed to conduct an inquiry against the FAA in the context of this matter for the gross failure in conducting hearings and deciding the First Appeal. The said inquiry to be completed on or before 10/04/2026 in report to that effect to be submitted before this Commission on 16/04/2026.

- No order as to cost.
- Parties to be provided authenticated copies of this order separately under each appeal number.
- 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