

Complaint No. 60/2025/SIC

Sharlet Fernandes,
Francisco Costa Ward, 317,
Utorda-Majorda,
Salcette-Goa.

..... Complainant

V/s

Yogesh Fatarpekar,
The Public Information Officer,
The Secretary,
Village Panchayat of Majorda Utorda Calata,
Majorda-Salcette-Goa

.....Opponents

Shri. Atmaram R. Barve

State Information Commissioner

Filed on: 12/09/2025
Disposed on: 05/02/2026

ORDER

1. The present complaint arises out of the Right to Information (RTI) application dated 31/07/2025 made by the Complainant herein, Smt. Sharlet Fernandes and addressed to the Public Information Officer (PIO) at Village Panchayat of Majorda Utorda Calata, Majorda-Goa.
2. The Complainant herein had sought information pertaining to CCTV footage in a pointwise manner.
3. In the said application the Complainant had placed reliance on the order passed by the Goa State Information Commission in Appeal No. 354/2023/SIC wherein this Commission had issued directions to same Panchayat on the subject matter of CCTV footage.

4. Thereafter, citing the grounds that information has not been furnished inspite of the passage of 30 days, the Complainant herein sought the remedy under Section 18 of RTI Act by way of this present Complaint.
5. On the date of hearing i.e., 06/11/2025, an Advocate appeared on behalf of PIO and collected the Complaint memo.
6. On 02/12/2025 once again the PIO was represented by an Advocate without Wakalatnama and sought time to file reply and this Commission granted time till 06/01/2026 for the PIO to file reply.
7. On 06/01/2026 once again the Advocate sought time to file Wakalatnama as well as reply to the Complaint memo.
8. Taking cognizance of the fact that inspite of having being given ample period of time to file reply, this Commission issued Show Cause Notice to the PIO with directions to remain present alongwith reply to the Show Cause Notice on 05/02/2026 i.e the present day.
9. In spite of directions of this Commission, the PIO, Shri. Yogesh Fatarpekar failed to remain present and also failed to file reply to the Show Cause Notice. However, Adv. C. Silveira was present on behalf of the PIO with a reply to the Complaint memo instead.
10. The PIO in his reply to the Appeal memo contends that he does not have easy access to CCTV system and therefore is not in a position to access or furnish any such footage.
11. Upon perusal of Complaint memo, reply of the PIO, this Commission is of considered opinion as under:
 - a. The conduct of the said PIO, Shri. Yogesh Fatarpekar appears to be against the letter and spirit of RTI Act in so far as his

inaction in responding to RTI application within stipulated time period is concerned.

- b. This conduct of disregard towards the RTI Act as well as authorities constituted thereunder is reiterated by the fact that the said PIO does not bother to pay heed to the Show Cause Notice issued by this Commission.
 - c. The directions of this Commission in Appeal 354/2023/SIC are very clear that *"the PIO is directed to provide information to the information seekers henceforth within 10 to 15 days of receipt of such application wherein such electronic data including CCTV footage is sought under RTI Act"* and directions in this matter were to the PIO of Village Panchayat Majorda Utorda Calata and the PIO ought to function in terms of the said directions.
 - d. Moreover, there is no material on record to suggest that the PIO has acted in any manner to respond to the Complainant's RTI application.
 - e. The conduct of the PIO, Shri. Yogesh Fatarpekar, in the present matter leaves sufficient ground to infer that he has malafidely denied information to the information seeker.
12. Therefore, in view of the above the present Complaint is disposed with following orders:-
- a. The present Complaint is allowed.
 - b. The PIO of Village Panchayat of Majorda Utorda Calata, Shri. Yogesh Fatarpekar is found to have caused denial of information thereby attracting penalty to the tune of Rs. 25,000/- in terms of the Section 20(1) of RTI Act 2005. The Director, Directorate of Panchayats, Government of Goa is hereby directed to recover the said penalty from salaries and allowances of Shri. Yogesh Fatarpekar on or before

15/02/2026 and submit compliance report to that effect by remaining present or through any authorised representative on 24/02/2026 at 11.00 a.m.

- c. The Director of Directorate of Panchayats, Government of Goa is directed to conduct an inquiry against the said PIO, Shri. Yogesh Fatarpekar for non-compliance of the order of this Commission in Appeal 354/2023/SIC and also for non-compliance of the directions of this Commission in so far as reply to the Show Cause Notice is concern. The said exercise to be completed on or before 20/02/2026 and inquiry report to be submitted on 24/02/2026.
- d. The Government of Goa, through its Chief Secretary is also directed to take immediate steps for the formulation of the Record Retention Policy for documentary as well as electronic records for all the authorities concerned under the ambit of the RTI Act in the State of Goa.
- 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