

# **GOA STATE INFORMATION COMMISSION**

## **AT PANAJI**

**CORAM:** Shri. M. S. Keny, State Chief Information Commissioner

Appeal No.137/SIC/2008  
&  
Penalty Case No.18/SIC/2008

Shri Subodh Sawant,  
B-2, Shanti Campus, Nr. Mehul Talkies,  
Nr. Mahesh Tutorials,  
Mulund West,  
Mumbai – 400 080

... Appellant.

V/s.

1) The Public Information Officer,  
Shri Pramod Bhat,  
Office of the Mamlatdar,  
Bicholim Taluka,  
Bicholim – Goa

... Respondent No. 1

2) The First Appellate Authority  
Shri Arvind V. Bugde,  
The Deputy Collector & S.D.O.,  
Bicholim – Goa

... Respondent No. 2

Appellant in person.

Respondent No. 1 absent.

Adv. K.L. Bhagat for Respondent No. 1.

Respondent No. 2 absent.

## **J U D G M E N T**

(02/11/2010)

1. The Appellant, Shri Subodh S. Sawant, has filed the present Appeal praying that information be furnished, for penalty and for other reliefs as mentioned in the Memo of Appeal.

2. I need not refer to the facts of the case in detail. It is seen that

...2/-

by Judgment and Order dated 18.12.2008 it is ordered as under:

“The Appeal is allowed. The Respondent No.1 is directed to provide the information as sought by the Appellant within one week from the date of this order and file the compliance report on the next date of the hearing.

The decision on the imposition of penalty on the Respondent No. 1 is deferred till the compliance of the order. Shri Sadanand P. Gad the then Devasthan Clerk is hereby directed to show cause as to why he should not be treated as a Public Information Officer in terms of provisions of sub-section (4) and (5) of the Act and why the penalty should not be imposed on him under section 20 of the Act.”

3. During the course of his arguments Adv. Shri S. S. Sawant submitted that full information has been furnished.

4. It was contended by the Appellant that there is delay. According to Adv. Shri K. L. Bhagat there is absolutely no delay. It is to be noted here that aspect of penalty on the Respondent No. 1 was deferred as per the order mentioned above. In my view Public Information Officer should be given an opportunity to explain the same in the factual matrix of this case.

Again notice was issued to Sadanand P. Gad as per order. In my view the said aspect also can be taken alongwith this notice and hence notices are to be issued to both.

5. In view of the above no intervention of this Commission is required as far as information is concerned as the same is already furnished. Since there is delay Respondent No. 1 and the said Shri Sadanand P. Gad are to be heard on the same. Hence the Order:

**ORDER**

Issue notice under section 20(1) of the Right Information Act to Respondent No. 1/Public Information Officer and Shri Sadanand P. Gad, to show cause why penalty action should not be taken against them for causing delay in furnishing information. The explanation, if any, should reach the Commission on or before 25.11.2010. Public Information Officer/Respondent No. 1 and Shri Sadanand P. Gad shall appear for hearing.

Further inquiry posted on 25.11.2010 at 10:30a.m.

Pronounced in the Commission on this 2<sup>nd</sup> day of November, 2010.

Sd/-  
(M. S. Keny)  
State Chief Information Commissioner