

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

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

**Penalty No.57/2011  
In  
Comp No.88/SCIC/2011**

Mrs. Severina P. Fernandes  
Alias Joanita Fernandes,  
H. No.1392/A(Bldg)., Mazilwado,  
Nr. Benaullim Panchayat, Benaullim,  
Salcete - Goa

... Complainant

V/s.

The Public Information Officer,  
Shri Deepak Chari,  
Secretary of Village Panchayat,  
Cana-Benaullim,  
Salcete - Goa

... Opponent

Complainant absent. Her advocate Shri A. Dessai present.  
opponent absent

**ORDER**  
**(29/3/2012)**

1. By order dated 22/08/2011, this Commission issued notice U/s.20(1) of the R.T.I. Act, 2005 to show cause why penal action should not be taken against him for causing delay in furnishing the information.

2. In pursuance of the notice, the opponent, Deepak Chari appeared and filed the reply. He admits that there is delay but according to him the concerned clerk Avelina Coutinho has misplaced the file. That on search of the same, the same was found afterwards.

3. Today the Advocate for complainant has filed an application stating that opponent has expired i.e. news of Death was published in the newspaper, Tarun Bharat dated 20/02/2012 and upon

inquiry, confirmed that the death of opponent occurred on 8/2/2012.

In view of the above, the complainant wants to withdraw the complaint and penalty proceedings.

4. The complaint is already disposed so the question of withdrawing the same does not arise.

5. Explanation furnished by the opponent comes within the meaning of reasonable cause. Besides as pointed by Adv. for Complainant, it would not be proper to penalize the opponent.

6. In view of the above, I pass the following order :-

**ORDER**

The show cause notice is discharged and penalty proceedings are dropped as withdrawn.

The penalty proceedings are accordingly disposed off.

Pronounced in the Commission on this 29<sup>th</sup> day of March, 2012.

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

