

# GOA STATE INFORMATION COMMISSION

Kamat Tower, Seventh Floor, Patto Panaji-Goa

**CORAM: Smt. Pratima K. Vernekar, State Information Commissioner.**

## **Appeal No. 118/SIC/2015**

Jawaharlal T. Shetye,  
C/o. Mapusa Jana Jagruti Samiti,  
H.No. 35, Ward No. 11, Khorlim, Mapusa-Goa  
V/s

1. The First Appellate Authority,  
Chief Officer (Mr. Raju Gawas),  
Mapusa Municipal Council,  
Mapusa-Goa
  2. The Public Information Officer,  
Main Engineer, (Mr. Hussain Shah Muzawar)  
Mapusa Municipal Council,  
Mapusa-Goa
- .....Respondents

**Appeal filed on: 28/10/2015**

**Decided on: 14/06/2016**

## **ORDER**

1. Brief facts of the case are that Appellant had filed Four different applications under section 6 of Right to Information (RTI ) Act with Respondent No. 2, PIO the Main Engineer, Mapusa Muncipal Council as stated herein below:-
  - a. 18/05/2015 regarding vigilance inquiry report into the appointment of Pound Keeper, Shri Kishor Naik,
  - b. application dated 18/05/2015 regarding inspection of files and other records related to the development projects within the jurisdiction of Mapusa Municipal Counsel forwarded to Goa State Urban Development Agency for the period from 2012 till 2015 May.
  - c. application dated 25/05/2015 regarding the representation, made on 9<sup>th</sup> May 2015 requesting for initiating illegal business activities carried out by various persons and
  - d. application dated 29/05/2015 regarding termination of probation period of services of Channappa Holepannawar, Worker-cum-Sweeper attached to Mapusa Municipal Council.
2. Since Respondent No. 2 /PIO did not furnish the respective information nor replied to his applications within the stipulated period of 30 days, the

- Appellant preferred first Appeal before the FAA (First Appellate Authority). Respondent No. 1/FAA after hearing four different Appeal passed separate Orders in all the four first appeal directing PIO to reconstitute the file, make file available and then to furnish the information.
3. Since the Orders of the FAA was not complied, the Appellant then filed common Appeal. Appeal in respect of four RTI application before this Commission which came to be registered as 118/14.
  4. Notices were issued to respective parties, and matter taken up for hearing. During the hearing the Appellant was present in person and Respondent No. 2 was represented by PIO (Public Information Officer). Shri Hussain Muzawar and by APIO, Shri Vinay Agarwadekar.
  5. Four separate reply came to be filed for each RTI application on 29/03/2016 thereby enclosing the copies of the information which was earlier furnished to the Appellant, vide their office letter No. EST/RTI/2496/2016 dated 21/03/2016, letter No. EST/2556/2016 dated 22/03/2016, letter No. dated MMC/ENGG/RTI/2555/2016 dated 22/03/2016 and letter No. EST/2729/2016 dated 29/03/2016. The Copy of the above four replies along with the enclosed information was furnished to the Appellant on 29/03/2016.
  6. Since the Appellant was not satisfied with the information furnished to him, PIO, Shri Hussain Khan volunteered and consented to furnished him additional information to his satisfaction. Accordingly the PIO/Respondent No. 2 on 19/05/2016 then submitted additional information, which was already collected by the Appellant on 16/05/2016 and the Appellant acknowledged said. The said fact was not been disputed by the Appellant.
  7. On 3/06/2016 the Appellant appeared in the morning session before this Commission and submitted that he is satisfied with the information and

not insisting for penalty proceeding and accordingly he filed application before this Commission. The Copy of the said application was furnished to APIO, Shri Vinay Agarwadekar in the afternoon during hearing.

8. Since all the information sought which could be furnished to the Appellant have been furnished this Appeal has become infrustrutuas. The Appellant has graciously waved prayer ( b) of penalty. However, this Commission has observed that there has been considerable delay in providing the information. The PIO has assured that such delay would not occur in future. I therefore condone the conduct of PIO.

Appeal is accordingly disposed proceeding stands closed.

Notify the parties.

Authenticated copies of the Order should be given to the parties free of cost.

Aggrived party if any may move against this order by way of a Writ Petition as no further Appeal is provided under the Right to Information Act 2005.

Sd/-

**(Pratima K. Vernekar)**

State Information Commissioner

Goa State Information Commission, Panaji-Goa