

**GOA STATE INFORMATION COMMISSION**

‘Kamat Towers’ Seventh Floor, Patto, Panaji – Goa

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**CORAM: Shri Prashant S.P. Tendolkar,**  
State Chief Information Commissioner,

**Appeal No. 28/SCIC/2016**

Shri Jawaharlal T. Shetye,  
H. No.35, Ward No.11,  
Khorlim Mapusa –Goa. .... Appellant/Applicant

**Dated:26/07/2017**

**O R D E R**

1) This order shall dispose the application, dated 27/01/2016, by appellant above named and addressed to the Chief Secretary and this Commission, interalia seeking penal action against one officer allegedly for blocking vital information. The said application is registered as an appeal by this Commission

2) In the said application the appellant has a grievance, that inspite of RTI Act, the situation has not changed. Appellant has produced on record a list of the appeals and complaints filed by him before this Commission against Mapusa Municipal Council. It appears that the appellant also has a grievance against the elected representative and local MLA. According to him it is difficult to get information from Mapusa Municipal Council. The appellant has also attached several copies of notices issued to various parties, to point out that the said Authority has adopted different approaches in same situation.

By said application the appellant has urged Chief Secretary to sack one Shri Raju Gawas and has also requested the Commission to issue written directions to implement section 4(1) (a) and (b) of the RTI Act 2005.

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3) Notice of the application was issued to Mapusa Municipal Council, which filed its say, objecting the maintainability of the appeal. According to it the Commission is the second appellate Authority and no proceedings other than such appeals can be entertained and also that appeal is in the form of representation and has to approach the forum for grievance redressal, and that this Commission is not such forum.

4) The appellant remained present only on the first date but remained absent thereafter. I have considered the application. The grievance of the appellant is firstly pertaining to the policies adopted by the Mapusa Municipal Council. The Right to Information Act 2005 (Act for short) does not confer any powers to the Commission to intervene in the functioning of the Public Authorities either in its day to day functioning or in framing of policies for functioning.

Secondly the appellant request Chief Secretary to sack the Chief Officer. Here again the Commission has no jurisdiction to intervene.

5) The appellant has also prayed for direction to all Public Authorities to implement section 4(1)(a and 4(1)(b) of the Act. I am of the opinion such a blanket order would cause unwanted invasion and cause confusion with the Public Authorities who had complied with said provisions. The appellant has prayed for a blanket order, without filing any data as to which authorities have complied.

6) However, considering the allegations of appellant that the dispensation of Information by Mapusa Municipal Council is not properly regulated and that the respondent has not clarified in

its reply whether said provisions are complied with or not, I find it appropriate that the respondent is directed to comply with the same.

**7) In the aforesaid circumstances I hereby direct the Chief Officer Mapusa Municipal Council to comply with the provisions of section 4(1) (a) and (b) of the Right to Information Act 2005, within sixty (60) days from the date of receipt of this order.**

Notify the parties.

Proceedings closed.

Pronounced in open proceedings.

Sd/-

**(Mr. Prashant S. P. Tendolkar)**  
State Chief Information Commissioner  
Goa State Information Commission  
Panaji-Goa