

GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji Goa

Shri Prashant S.P. Tendolkar,
State Chief Information Commissioner

Appeal No.102/SCIC/2017/

Shri Shrikant Navelkar,
r/o. Khalap Vaddo, Canca Bandh,
Mapusa , Bardez Goa **Appellant**

V/s

1)The Public Information Officer,
Mapusa Municipal Council,
Mapusa – Goa.
2) The First Appellate Authority,
Mapusa Municipal Council,
Mapusa – Goa. **Respondents**

Filed on : 13/07/2017

Decided : 17/04/2018

1)FACTS IN BRIEF:

a) The appellant herein by his application dated 10/3/2017 filed u/s 6(1) of the Right to Information Act 2005 (Act for short) sought certain information from the Respondent No. 1, PIO under several points therein.

b) According to appellant he was telephonically called on 10/4/2017 to collect information on payment and on 13/4/2017 the appellant was furnished information except at points (3) and (6).

However according to appellant the information as sought was not furnished and hence the appellant filed first appeal to the respondent No. 2, being the First Appellate Authority (FAA).

c) The FAA by order dated 7/6/17 allowed the said appeal and directed PIO to furnish the information at point (6) by holding that information at other points is already furnished.

d) Being aggrieved by said order of FAA, the appellant has therefore land before this Commission in this second appeal u/s 19(3) of the act.

e) Notices were issued to the parties, pursuant to which they appeared. The PIO on 31/1/2018 filed reply to the appeal alongwith a copy thereof for appellant. The appellant though initially appeared on 21/11/2017 and thereafter through his representative on 12/2/2017, he failed to appear on subsequent dates and also did not bother to collect the copy of reply filed by PIO. In view of his absence the arguments on behalf of PIO were heard.

2)FINDINGS :

a) The appellant had approached the FAA with a grievance that information at points (3) and (6) is not furnished, and that the information furnished on other points was not satisfactory. I therefore for the purpose of clarity bifurcate the requirements of appellant being those, which are not furnished viz. points (3) and (6) and those which are not satisfactory.

b) Vide response to the application the PIO by letter dated 10/4/17 has offered the information at point (3, (5), (6), (7), (9) & (10) and towards the same, the fees were paid. In this situation, I am unable to hold that the information at point (3) was not furnished. Regarding information at point (6) it is to be seen that the said information was ordered to be furnished after the order of FAA. It is not his grievance in

this appeal that appellant is not furnished with the copy of said information at Point (6) as ordered by FAA. This information is furnished now by the RIO and vide her affidavit it is her contention that in view of additional charge the same could not be furnished earlier.

c) Coming to the other points, it is the contention of appellant that information supplied therein was not satisfactory. In this circumstances, the burden was on appellant to clarify as to which information was not satisfactory and reason for not holding it be satisfactory. The appellant chose to remain absent and not even bothered to collect the affidavit in reply filed by PIO. In the circumstances, I am unable to hold that the information was not satisfactory.

d) Considering the above, I find that the information as was due is furnished and no malafides are shown against the PIO. In the light of above, I dispose the appeal with the order as follows :

ORDER

The appeal is dismissed. Parties to be notified. Proceedings closed. Pronounced in open proceedings.

Sd/-
(Prashant S.P. Tendolkar)
State Chief Information Commissioner
Goa State Information Commission
Panaji - Goa