

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

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**CORAM: Shri Juino De Souza: State Information Commissioner**

**Appeal No: 77/2018/SIC-II**

Jawaharlal T. Shetye  
H.No. 35/A, Ward No. 11,  
Khorlim, Mapusa,  
Goa – 403 507

**..... Appellant**

**v/s**

1. Public Information Officer,  
Mapusa Municipal Council,  
Mapusa, Goa – 403507

2. First Appellate Authority,  
Chief Officer,  
Mapusa Municipal Council,  
Mapusa, Goa - 403507.

**..... Respondents**

**Relevant emerging dates:**

**Date of Hearing : 12-03-2019**

**Date of Decision : 12-03-2019**

**ORDER**

1. **Brief facts of the case** are that the Appellant vide an RTI application dated 20/10/2017 sought certain information u/s 6(1) of the RTI Act, 2005 from the PIO, Mapusa Municipal Council, Mapusa – Goa by enclosing a photo copy of letter no. DC/SDM/MAP/Character/2015/7365 dated 27/05/2015 addressed to the Chief Officer, Mapusa Municipal Council from the office of Dy. Collector and SDM, Mapusa-Goa with regards to verification of the Character and antecedents with reference to your letter No. EST/3162/2015 dated 29/04/2015 for ready perusal.
2. The Appellant is *inter alia* seeking information to: 1) To furnish Certified copies of letter No.EST/3162/2015 dated 29/04/2015, submitted to the office of Dy. Collector and SDM Mapusa Goa alongwith list of names of all employees forwarded for verification. 2) Furnish certified copies of all certificates of different nature issued by the chairperson of Mapusa Municipal Council namely Shri Sandip Falari, Smt Rupa Bhakta and others. 3) To furnish exact date of joining of Shri. Channappa G. Haleppannavar with Mapusa Municipal Council 4) Furnish the certified copy of the verification of character and issued by the Dy. Collector S.D.M Mapusa Bardez, Goa.....

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3. ....5) To Furnish complete and detailed information with regards to all the FIR's registered against Shri. Channappa G. Haleppannavar with Mapusa Police Station. 6) Refer certificate copy bearing No.EST/1658/2010 dated 26/03/2010 issued by then Chairperson Smt. Rupa Bhakta certifying that Shri. Channappa G. Haleppannavar is known to her for last 15 years and to furnish a) certified copy of the provision and the powers enjoyed by the Chairperson allowing them to issue above types of residence certificates to its workers and citizens of mapusa. b) to furnish certified copy of the request application received by Shri. Channappa G. Haleppannavar to issue him 15 years of residence certificate. c) To furnish the exact tenure of Smt. Rupa Bhakta as Chairperson and councilor of Mapusa Municipal Council. d) To furnish the list of the names of all those persons to whom Smt. Rupa Bhakta in capacity of Chairperson of Mapusa Municipal Council has issued 15 years of residence and other such information as contained in the RTI Application therein.
4. It is seen that the PIO has not furnished any information as per 7(1) and as such the Appellant filed a First Appeal on 22/11/2017 and First Appellate Authority (FAA) vide order dated 03/01/2018 on proceeding sheet disposed off the matter by directing the PIO to furnish the information to the Appellant within 15 days of this order free of cost and report compliance.
5. **HEARING:** This matter has come up for hearing on several previous occasions and thus taken up for final disposal. During the hearing the Appellant is absent. Adv. M. D'Souza is present on behalf of the PIO.
6. **SUBMISSIONS:** Adv. M. D'Souza submits that directions may be given to the PIO to comply with the order dated 03/01/2018 of the First Appellate Authority (FAA).

7. **FINDINGS**: The Commission after perusing the material on record finds that the PIO has neither furnished any reply / information as is mandatory under section 7(1) of the RTI act 2005 and further although the APIO was present at the hearing conducted by the First Appellate Authority (FAA) has not complied with the Order dated 03/01/2018 passed by the First Appellate Authority (FAA).
8. **DECISION**: The PIO is hereby directed to comply with the Order of First Appellate Authority and furnish the information if available in the records to the Appellant within 20 days of the receipt of this Order. In case the said information is not available in the records of the Public Authority, the PIO should intimate the same to the Appellant accordingly.
9. **Issue Notice u/s 20(1) of the RTI act 2005 to the PIO** in the above matter to show cause as to why penal action should not be taken against him for not furnishing the information timely within the mandated 30 days period and also for not complying with the Order dated 03/01/2018 of the First Appellate Authority. The said PIO shall remain personally present in the Commission with his explanation, if any on 15/04/2019 at 11.30am.

**With these directions the Appeal case stands disposed.**

Pronounced before the parties who are present at the conclusion of the hearing. Notify the parties concerned. Authenticated copies of the order be given free of cost.

Sd/-  
**(Juino De Souza)**  
**State Information Commissioner**