

GOA STATE INFORMATION COMMISSION

Kamat Towers, seventh Floor, Patto, Panaji, Goa

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

Appeal No.258/2018/CIC

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

..... Appellant

V/s

- 1) The Public Information Officer,
Mapusa Municipal Council,
Mapusa, Bardez –Goa. 403507
- 2) The First Appellate Authority,
The Chief Officer (Mr. Clen Madeira),
Mapusa Municipal Council,
Mapusa –Goa. 403507. Respondents.

Filed On: 05/11/2018

Disposed On: 12/06/2019

1) FACTS IN BRIEF:

- a) The appellant herein by his application, dated 16/08/2018 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) The said application was replied on 10/09/2018 and 12/09/2018. However according to appellant the information as was furnished was not satisfactory and hence the appellant filed first appeal to the respondent no.2, being the First Appellate Authority (FAA). According to him FAA has failed to dispose the said appeal.
- c) The appellant has therefore landed before this commission in this second appeal u/s 19(3) of the act.

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d) Notices were issued to the parties, pursuant to which they appeared. The PIO on 03/04/2019 filed reply to the appeal. Though opportunity was granted to parties they failed to advance any arguments.

2) FINDINGS:

a) As the parties failed to appear and argue the matter inspite of opportunities, I have no alternative than to proceed with the matter for disposal based on the records before me.

b) On perusal of the application filed u/s 6(1) of the act at points (1) and (2) the appellant has sought certified copies of certain records. Though the appellant has averred that the PIO has decided the application u/s 6(1) on piecemeal bases, the first reply dated 10/09/2018 is not produced before this commission. Thus it appears that inspite of approaching this commission with all the documents the appellant has hidden the said reply of PIO, dated 10/09/2019 and wants this commission to hold that information is not satisfactory. The appellant ought to have approached this commission with all fairness by disclosing the information purportedly furnished by PIO.

Be that as it may the PIO has decided the application of appellant u/s 6(1), dated 16/08/2018 within thirty days. I do not find any delay in deciding the application of appellant and consequently there is no violation of section 7(1) of the act.

c) By reply dated 10/09/2018, the appellant is offered the information at point (1) and (2) and for the information at

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points 3(g)(i) and (ii) it is informed that there is no recovery effected in respect of the parties mentioned therein.

- d) In respect of points 3(b) the information is offered on payment of fees. At point 3(c) the information is furnished. The information at point 3(d) is not furnished as not existing. At point 3(e) and 3(f) the information is offered on payment of fees.
- e) The appellant had approached the FAA with a grievance that the information is not satisfactory however the alleged non satisfaction of appellant is not substantiated. The ground of appellant herein thus being vague cannot be considered. On the other hand and as observed above the information which is in existence being offered in time, I find no grounds to entertain the present appeal. In the result the appeal stands disposed with following:

O R D E R

Appeal stands dismissed. Order be notified to parties.
Proceedings closed.

Pronounced in open hearing.

Sd/-

(Shri. P. S.P. Tendolkar)
Chief Information Commissioner
Goa State Information Commission
Panaji -Goa