

**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. 225/2019/SIC-II**

Shri Jawaharlal T. Shetye,  
H. No. 35/A, Ward No. 11,  
Khorlim, Mapusa Goa  
403507.

... **Appellant**

**v/s**

1. Public Information Officer,  
Main Engineer–I (Diniz D'Mello),  
Mapusa Municipal Council,  
Mapusa- Goa. 403507
2. First Appellate Authority,  
The Chief Officer(Mr. Clen Madeira)  
Mapusa Municipal Council,  
Mapusa-Goa 403507

.....**Respondents**

**Relevant emerging dates :**

Date of Hearing : 11-02-2020

Date of Decision : 11-02-2020

**O R D E R**

1. Brief facts of the case are that the Appellant vide an RTI application dated 28/03/2019 sought certain information under Section 6(1) of the RTI Act, 2005 from Respondent PIO, Mapusa Municipal Council, Mapusa Goa.
2. The information pertains to 12 points and the appellant is *inter alia* seeking information regarding Noting sheets 1/N till N/6 pts on page note council meeting held on 30/11/2017 dated 15/03/2018 and Certified copies of pages numbering 21/c till 38/c and to furnish complete and detailed information with regards to the list of cases field by the litigants against Mapusa Municipal Council before the office of the Municipal Administrative Tribunal at Panaji Goa and to furnish complete and detailed information with regards to the monthly/half yearly and Annual performance appraisal report of your Advocate Metlock D'souza by informing the exact percentage of cases allotted to him which are....

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..... successfully defended by him yielding positive reports and the cases lost and went against Mapusa Council and to furnish the exact procedure and criteria adopted by Mapusa Municipal Council in appointing Advocate Metlock D'Souza on the panel of Advocates for Mapusa Municipal Council and to furnish the complete Bio-Data of your Advocate Metlock D'souza and under whose recommendations he was selected and appointed by Mapusa Municipal Council and to furnish certified copy of the Order issued to Adv. Metlock D'Souza appointing him on the panel of Advocates for Mapusa Municipal Council with various terms and conditions and such related information as contained in the RTI application filed therein.

3. It is seen that the PIO vide reply No.EST/RTI/3878/2019 dated 25/06/2019 provided certified copies of minutes of all Council meetings (ordinary and special) held during the period since Mr.Ryan Braganza was chairperson of Mapusa Municipal Council till date and also furnished Certified copy of appointment order of Adv. Metlock D'Souza to defend all RTI case on monthly remuneration of Rs.10,000/- and other such information has contained in the reply filed by the PIO therein.
4. Not satisfied with the reply of the PIO, the Appellant filed a First Appeal on 30/04/2019 and the First Appellate Authority (FAA) by an short Order on the Roznama sheet dated 20/06/2019 directed the PIO to furnish the information to the Appellant free of cost within 20 days.
5. Being aggrieved that despite the Order of First Appellate Authority, (FAA) no information has been furnished by the PIO even after 20 days, the Appellant thereafter filed a Second Appeal registered before the Commission on 25/07/2019 and has prayed to direct the Respondent PIO to furnish the Correct and complete information and for penalty cost, compensation and other such reliefs.

6. **HEARING:** This matter has come up before the Commission on three previous occasions and hence is taken up for final disposal. During the hearing the Appellant Shri Jawaharlal T. Shetye is absent. Shri Vinay Agarwadekar, UDC, O/o MMC, Mapusa is present on behalf of PIO. The FAA is absent.
7. **SUBMISSION:** At the outset the representative for the PIO, Shri. Vinay Agarwadekar who is also the APIO submits that pursuant to the receipt of the RTI application, the PIO has furnished part information to the Appellant vide letter No. EST/RTI/3878/2019 dated 25/06/2019. The APIO submits that besides this there is no other information available in the records of the Public authority. He also submits that a diligent search was made to trace some more information but the same is not traceable. The APIO also points out to a reply filed by the PIO dated 07/10/2019 which is on record of the Commission.
8. **DECISION:** The Commission after hearing the submission of the APIO and scrutinizing the material on records comes to the conclusion that the PIO has furnished substantial part of the information and as such directs the PIO to furnish the remaining information in other points which have not been supplied to the Appellant if the same are available in the records of the Public authority within 20 days of the receipt of this Order. In case the said information is not available then the PIO shall inform the appellant accordingly.

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

All proceedings in Appeal case stands closed. Pronounced before the parties who are present at the conclusion of the hearing. Notify parties concerned. Authenticated copies of the order be given free of cost.

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