

GOA STATE INFORMATION COMMISSION

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Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 86/2021/SIC

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-Goa.

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

..... Respondents

Filed on : 08/04/2021

Decided on : 17/12/2021

Relevant dates emerging from appeal:

RTI application filed on	: 09/11/2020
PIO replied on	: Nil
First appeal filed on	: 17/12/2020
First Appellate Authority Order passed on	: 28/01/2021
Second appeal received on	: 08/04/2021

ORDER

1. The brief facts of this appeal are that Appellant under section 6(1) of the Right to Information Act, 2005 (for short, the Act) sought certain information from Respondent No. 1 Public Information Officer (PIO). Appellant received no reply from PIO within the stipulated period and therefore filed appeal dated 17/12/2020 before Respondent No. 2 First Appellate Authority (FAA). PIO was directed by FAA vide order dated 28/01/2021 to furnish the information within 30 days.

However PIO failed to comply with direction of the FAA and being aggrieved Appellant preferred second appeal before this Commission.

2. Parties were notified and pursuant to the notice Shri. Vyankatesh Sawant, PIO appeared before the Commission and filed reply dated 06/09/2021 and 17/11/2021. Appellant remained present insisting on the complete information.
3. The PIO vide reply dated 06/09/2021 stated that he had issued memorandum to deemed PIOs to furnish the said information and thereafter the information is furnished to the Appellant vide letter dated 27/08/2021. PIO further stated on 17/11/2021 that additional information has also been furnished to Appellant which has been endorsed by him. The Appellant was present in person for the hearing on 17/11/2021, acknowledged the receipt of the information and did not press for penalty and requested the Commission to dispose the appeal.
4. In view of the above discussion and after considering the facts of this matter it is seen that the information sought by the Appellant vide application dated 09/11/2020 has been furnished to him by PIO. As the Appellant has requested for disposal of the appeal without invoking penalty proceeding against the PIO, the Commission is of the view that the appeal needs to be disposed.
5. Hence the appeal is disposed accordingly and proceeding stand closed.

Pronounced in the open court.

Notify the parties.

Authenticated copies of the Order should be given to the parties free of cost.

Aggrieved party if any, may move against this order by way of a Writ Petition, as no further Appeal is provided against this order under the Right to Information Act, 2005.

Sd/-

(Sanjay N. Dhavalikar)
State Information Commissioner
Goa State Information Commission
Panaji - Goa