

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

Tel: 0832 2437880 E-mail: spio-gsic.goa@nic.in

Website: www.gsic.goa.gov.in

Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 62/2021/SIC

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

.....Appellant

1. Public Information Officer,
Mapusa Muncipal Council,
Mapusa-Goa 403507
2. First Appellate Authority,
The Chief Officer,
Mapusa Municipal Council,
Mapusa-Goa 403507

..... Respondents

Filed on : 17/03/2021

Decided on : 17/09/2021

Relevant dates emerging from appeal:

RTI application filed on	: 19/11/2020
PIO replied on	: Nil
First appeal filed on	: 22/12/2020
FAA order passed on	: 28/01/2021
Second appeal received on	: 17/03/2021

ORDER

1. The Second Appeal filed under section 19(3) of the Right to Information Act, 2005 (herein after to be referred as 'Act') by the Appellant Shri. Jawaharlal T. Shetye against Respondent No. 1 Public Information Officer (PIO), Mapusa Muncipal Council, Mapusa Goa and Respondent No. 2, First Appellate Authority (FAA), The Chief Officer, Mapusa Municipal Authority, Mapusa Goa, came before this Commission on 17/03/2021.
2. The brief facts leading to the second Appeal, as contended by the Appellant are :-

- (a) That the Appellant vide application dated 19/11/2020 under section 6(1) of the Act, sought from the PIO information on 10 points, mentioned therein.
- (b) That the PIO did not furnish information within the stipulated period and the Appellant filed first Appeal dated 22/12/2020 before the FAA. The FAA vide order dated 28/01/2021 directed PIO to furnish information within 30 days. However the PIO failed to comply with the directions given by FAA and therefore the Appellant has preferred second appeal before this Commission with various prayers including furnishing of information, penalty u/s 20(1) and 20(2) of the Act and compensation.
3. The matter was taken up on board and notice was issued to the concerned parties and the Appeal was listed for hearing. Pursuant to this, the PIO appeared and submitted that the said RTI application is found marked to concerned dealing clerks/deemed PIO/APIO Smt. Nazeera Sayed, Smt Shradha Arlekar, Ms. Dilsha Mashelkar and Shri. Nilesh Lingudkar and that the PIO has issued notice to above mentioned officers to process the RTI application and furnish the information. The PIO filed copy of the said notice dated 30/08/2021 in the registry of this Commission.
4. The PIO Shri. Vyankatesh Sawant filed reply dated 06/09/2021 alongwith enclosures. The reply states that Shri. Sawant was on leave due to Covid-19 infection at the time of RTI application dated 19/11/2020 filed by the Appellant. However, part information was furnished on 29/12/2020 and again on 25/01/2021. Remaining information is furnished to the Appellant vide letter dated 03/09/2021. The PIO, while admitting the delay in furnishing complete information, stated that the delay is caused mainly due to his sickness and the information sought by the Appellant was voluminous and pertaining to various departments.
5. It is seen from the records that the Appellant, vide application dated 19/11/2020 has indeed sought information on ten points on various topics pertaining to Mapusa city like population of Mapusa city, number of male-female population, number as Churches, Temples, Mosques, total number of Anganwadis, Primary Schools, High Schools, Gardens, Childrens Parks, Playgrounds, Private and Government Hospitals, Nationalised and Private Banks, Cooperative Credits societies, Health Centers, Post offices, Police stations etc.

6. Section 6(2) of the Act provide that an applicant making request for information shall not be required to give any reason for requesting the information. This implies that the PIO is not supposed to ask the Appellant reasons for seeking information. However in this case it is seen that the Appellant has asked almost everything which exist in the jurisdiction of Mapusa Municipal Council, and the PIO has attempted to compile and furnish the information, though with delay. The Commission only hopes that the said information is put to use in the public interest by the Appellant.
7. With this observation and in the light of above discussion following order is passed:-
 - (a) As the information has been furnished to the Appellant, no more intervention of the Commission is required and the prayer for information becomes infructious.
 - (b) All the other prayers are rejected.
8. Hence the Appeal is disposed accordingly and proceedings 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