

GOA STATE INFORMATION COMMISSION

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Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 84/2021/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 : 30/12/2021

Relevant dates emerging from appeal:

RTI application filed on	: 30/10/2020
PIO replied on	: 24/11/2020
First appeal filed on	: 01/12/2020
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 the appellant vide application dated 30/10/2020 filed 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). The PIO furnished part information vide letter dated 24/11/2020. The appellant filed first appeal dated 01/12/2020 before Respondent No. 2 First Appellate Authority (FAA) in order to get remaining information. The FAA vide

order dated 28/01/2021 directed PIO to furnish the information within 30 days. However the PIO did not comply with the directions and that being so the appellant preferred second appeal before the Commission.

2. The concerned parties were notified and pursuant to the notice, appellant and PIO appeared before the Commission. PIO filed reply dated 06/09/2021 and submitted another reply with enclosures on 08/12/2021.
3. PIO stated in the reply that he had furnished available information to the appellant vide letter dated 24/11/2020, within the stipulated period as required under the Act. The PIO further stated that another part of information is furnished to the appellant vide letter dated 01/11/2021 and some part of information sought by the appellant is not available in his office. By stating this, the PIO prayed for disposal of the appeal. Appellant, present before the Commission on 08/12/2021 endorsed the statement of PIO and agreed for the disposal of the said matter.
4. It is noted from the records and submissions that the PIO had furnished part information to the appellant within the stipulated period of 30 days. The PIO subsequently searched the records during the proceeding of this appeal and furnished more information. It has been accepted by the appellant too, that the remaining information is not available in the records of PIO's office and the appellant is content with the information received from the PIO.
5. In the light of above discussion and after considering the facts of this case, the Commission concludes that the PIO has

furnished available information to the appellant. The PIO at no point denied any information, hence no malafide can be attributed to the delay and the appeal needs to be disposed accordingly.

6. Since the PIO has furnished available information sought vide application dated 30/10/2020, no more intervention of the Commission is required. Hence the appeal is disposed accordingly and the proceeding stands 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