

GOA STATE INFORMATION COMMISSION

'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

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Appeal No. 211/2020

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

.....Appellant

V/S

1. Public Information Officer,
Main Engineer II (Vyankatesh Sawant),
Mapusa Municipal Council,
Mapusa-Goa. 403507.

2. First Appellate Authority,
The Chief Officer (Kabir Shirgaonkar),
Mapusa Municipal Council,
Mapusa-Goa. 403507.

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 08/12/2020

Decided on: 13/01/2022

ORDER

1. The Appellant, Shri. Jawaharlal T. Shetye, H.No. 35/A, Ward No. 11, Khorlim, Mapusa-Goa, by his application dated 29/07/2020, filed under sec 6(1) of Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought certain information from the Public Information Officer (PIO) of Mapusa Municipal Council, Mapusa-Goa.
2. Since the Appellant did not receive any response, deeming the said as refusal, the Appellant filed first appeal before the Chief Officer, Mapusa Municipal Council at Mapusa Goa being the First Appellate Authority (FAA).
3. The FAA by its order dated 15/10/2020 allowed the said appeal and directed the PIO to furnish the available information to the Appellant free of cost, within 20 days.

4. In spite of the said order, the PIO failed to furnish the information therefore the Appellant preferred this second appeal under sec 19(3) of the Act, before the Commission.
5. Notices were issued to the parties, pursuant to which the PIO, Mr. Vyankatesh Sawant appeared and filed his reply on 27/10/2021 alongwith the copy to otherside..
6. In spite of the valid service of notice, the Appellant failed and neglected to appear before the Commission for hearings on 31/03/2021, 20/07/2021, 26/08/2021, 28/09/2021, 27/10/2021, 30/11/2021 and 13/01/2022.
7. According to PIO, the present appeal suffers from serious anomaly as RTI application produced before FAA dated 29/07/2020 is different from the application attached with the present appeal, therefore deserves dismissal. He also produced the copy of both the application dated 29/07/2020 on record.
8. Since the Appellant did not participate in the appeal proceeding despite of opportunities, I presume and hold that the Appellant has no say to offer and reply filed by PIO had gone unrebutted, accordingly the matter is disposed off. Proceedings closed. Pronounced in the open court. Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner