

GOA STATE INFORMATION COMMISSION

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

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Appeal No. 23/2022/SCIC

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

.....Appellant

V/S

1. The Public Information Officer,
Mapusa Municipal Council,
Mapusa-Goa 403507.

2. The First Appellate Authority,
The Chief Officer,
Mapusa Municipal Council,
Mapusa-Goa 403507.

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 20/01/2022

Decided on: 12/12/2022

ORDER

1. The Appellant, Shri. Jawaharlal T. Shetye r/o. H.No. 35/A, Ward no. 11, Khorlim-Mapusa, Goa by his application dated 21/09/2021 filed under sec 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought certain information from the Public Information Officer (PIO), Mapusa Municipal Council, Mapusa-Goa.
2. The said application was responded by the PIO on 07/10/2021, stating that the file has been forwarded to the advocate to obtain the legal advice.
3. Not satisfied with the reply of the PIO, the Appellant preferred first appeal before the Chief Officer, Mapusa Municipal Council at Mapusa Goa being the First Appellate Authority (FAA).
4. Since the FAA also failed to hear and dispose the first appeal within stipulated time, the Appellant preferred this second appeal before the Commission under Section 19(3) of the Act.

5. Parties were notified, pursuant to which, the PIO, Shri. Prashant Narvekar appeared on 08/09/2022 and filed his reply alongwith bunch of documents, however, the Appellant was not satisfied with the information furnished to him. Representative of FAA, Adv. Pallavi Dicholkar appeared and placed on record the reply of the FAA on 08/09/2022.
6. Through the reply dated 08/09/2022, the FAA contended that, the then FAA could not hear and dispose the first appeal as it was not placed before him by the concerned clerk and due to some misunderstanding the matter remained unheard. However same was not intentional or deliberate and prayed that the matter may be remanded back to the incumbent FAA to hear the matter afresh.

In view of above, the matter is remanded back to the FAA to hear the matter afresh by notifying the concerned parties and pass the appropriate order on merit within 45 days from the date of receipt of the order.

- Proceeding closed.
- Pronounced in the open court.
- Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner