

GOA STATE INFORMATION COMMISSION

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

Tel No. 0832-2437908/2437208 email: spio-gsic.goa@nic.in website:www.gsic.goa.gov.in

Appeal No. 249/2022/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: 19/09/2022

Decided on: 14/12/2022

ORDER

1. The Appellant, Shri. Jawaharlal T. Shetye r/o. H.No. 35/A, Ward no. 11, Khorlim-Mapusa, Goa by his application dated 10/06/2022 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. Since the said application was not responded by the PIO within the stipulated time, deeming the same as refusal, the Appellant preferred 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 11/08/2022 allowed the first appeal and directed the PIO to provide the information to the Appellant free of cost, within the period of 15 days.
4. Since the PIO failed and neglected to provide the information, the Appellant landed before the Commission by the way of this second appeal under Section 19(3) of the Act.

5. Notices were issued to the parties, pursuant to which, the PIO, Shri. Santosh Umraskar appeared on 04/11/2022 and furnished bunch of documents to the Appellant. He also placed on record compliance report dated 04/11/2022. Representative of the FAA, Adv. Pallavi Dicholkar appeared and filed her reply on 04/11/2022 and the matter was posted for arguments on 06/12/2022.
6. During the course of hearing on 06/12/2022, the incumbent PIO Shri. Rajendra Bagkar appeared and submitted that the information with regards to CCTV footage of Mapusa Municipal Council dated 09/06/2022 cannot be provided to the Appellant as the data is not available with the MMC as it was automatically eliminated being not downloaded within 30 days and the said fact is conveyed to the Appellant on 04/11/2022 and to support his claim he produced on record the copy of acknowledgment receipt of the Appellant.
7. Since the above fact is not challenged by the Appellant, I presume and hold that the Appellant is satisfied with the reply of the Respondents. Accordingly the matter is disposed off.
 - Proceeding closed.
 - Pronounced in the open court.
 - Notify the parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner