

GOA STATE INFORMATION COMMISSION

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

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Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 34/2022/SIC

Shri. Jawaharlal T Shetye,
H.N. 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

Relevant dates emerging from appeal:

RTI application filed on	: 27/10/2021
PIO replied on	: Nil
First appeal filed on	: 29/11/2021
First Appellate Authority order passed on	: Nil
Second appeal received on	: 01/02/2022
Decided on	: 17/10/2022

ORDER

1. Aggrieved by non receipt of information and non hearing of first appeal, the appellant under Section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') filed second appeal against Respondent No. 1, Public Information Officer (PIO) and Respondent No. 2, First Appellate Authority (FAA), which came before the Commission on 01/02/2022.
2. It is the contention of the appellant that, vide application dated 27/10/2021 he had sought certain information. Upon not receiving any reply from PIO he filed appeal before the FAA, which was not heard by the authority within the mandatory period. Hence, he approached the Commission by way of second appeal.
3. Notice was issued, pursuant to which appellant and PIO appeared in person and FAA was represented by his authorised representative. PIO filed reply dated 04/07/2022 and compliance report on 14/09/2022. Ms. Pallavi Dicholker filed reply on behalf of FAA on 14/09/2022.

4. It is seen that Shri. Prashant Narvekar, PIO, Technical Section collected the appeal memo, however, the subject matter was pertaining to the administration section, hence Shri. Narvekar handed over the matter to Shri. Shubraj Kanekar, PIO, Administration Section and Shri Rajendra Bagkar, APIO, Administration Section. Shri. Bagkar appeared on 08/08/2022 and undertook to furnish the information.
5. During the hearing on 14/09/2022, Shri. Rajendra Bagkar, APIO stated that, he has furnished the information to the appellant and filed compliance report alongwith acknowledgment from the appellant. The Commission observes that, the appellant has acknowledged the receipt of the information with his signature on a note furnished before the Commission on 14/09/2022 by Shri. Rajendra Bagkar, APIO.
6. In the background of the facts mentioned above, the Commission finds that, the information has been furnished and the appellant has acknowledged the receipt of the same. Hence, the prayer for information becomes infructuous and nothing more remains to be decided in the present matter.
7. Thus, the present 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

