

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. 182/2022/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	: 03/03/2022
PIO replied on	: Nil
First appeal filed on	: 27/04/2022
First Appellate Authority order passed on	: Nil
Second appeal received on	: 01/07/2022
Decided on	: 29/12/2022

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 01/07/2022.
2. It is the contention of the appellant that, vide application dated 03/03/2022 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. The concerned parties were notified, pursuant to the notice, Shri. Santosh Humraskar, PIO and Shri. Rajendra Bagkar, APIO appeared in person and undertook to furnish the information as sought by the appellant. FAA was represented by his authorised representative. Appellant appeared in person pressing for information.

4. During the hearing on 19/10/2022, Shri. Santosh Humraskar, PIO stated that, he had dispatched the information by Registered A.D. Post and has received copy of acknowledgement, which has been filed before the Commission. Later, on 22/11/2022, PIO reaffirmed that the information has been furnished by him.
5. Upon perusal, it is seen from the records that, the PIO vide letter dated 28/09/2022 has dispatched the information to the appellant by Registered A.D. Post and the receipt has been acknowledged by the appellant on 10/10/2022. Opportunity was given to the appellant to register his say, if any on the information received by him. Yet, he decided not to appear before the Commission, nor filed any submission. That being the case, the Commission concludes that, the information sought by the appellant has been furnished by the PIO.
6. Since the information sought by the appellant vide application dated 03/03/2022 is now furnished by the PIO and the same is acknowledged by the appellant, nothing more remains to be decided in the present matter.
7. Thus, the present appeal is disposed accordingly and the proceeding stands closed.

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

