

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. 30/2022/SIC

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

..... Appellant

v/s

1. The Public Information Officer (PIO),
Mapusa Municipal Council,
Mapusa-Goa, 4035072

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

..... Respondents

Filed on: 01/02/2022
Decided on: 29/04/2022

Relevant dates emerging from appeal:

RTI application filed on	: 23/09/2021
PIO replied on	: Nil
First appeal filed on	: 05/11/2021
FAA order passed on	: 22/12/2021
Second appeal received on	: 01/02/2022

ORDER

1. Aggrieved by non furnishing of the information by Respondent No. 1 Public Information Officer (PIO) inspite of direction from Respondent No. 2 First Appellate Authority (FAA), appellant filed second appeal under section 19(3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act').
2. Pursuant to the notice issued by the Commission, appellant appeared in person and pressed for the information. Shri. Vyankatesh Sawant, the then PIO and Shri. Prashant Narvekar, present PIO appeared on 11/04/2022.
3. It is seen from the appeal memo that the appellant vide application dated 23/09/2021 sought certain information from the PIO. However, PIO did not furnish the information and

aggrieved appellant approached the FAA by way of first appeal. FAA directed PIO to furnish the information, yet no information was furnished. Nevertheless, the then PIO and the present PIO appeared before the Commission on 11/04/2022 and undertook to honour the directions of the Commission in this matter.

4. Shri. Vyankatesh Sawant, the then PIO stated that he was transferred from Mapusa Municipal Council, hence he could not comply with the direction of the FAA. Similarly, Shri. Prashant Narvekar, the present PIO submitted that he will furnish the information.
5. It is observed by the Commission that the information requested by the appellant is in public domain, neither exempted under section 8 of the Act, nor rejected under section 9 of the Act. Hence the said information is required to be furnished to the appellant, as directed by the FAA.
6. On this background, the appeal is disposed with following order:-
 - a) PIO is directed to furnish the information sought by the appellant vide application dated 23/09/2021, within 30 days from the receipt of this order, free of cost.
 - b) All other prayers are rejected.
 - c) The then PIO and the present PIO are directed to be more diligent and entertain the applications received under section 6(1) of the Act, strictly as per the provisions of law.

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