

GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

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Appeal No. 183/2022/SCIC

Mr. 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-Bardez-Goa,
403507.

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

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 05/07/2022

Decided on: 20/06/2023

ORDER

1. The Appellant, Shri. Jawaharlal T. Shetye, r/o. H. No. 35/A, Ward No. 11, Khorlim, Mapusa-Goa vide his application dated 11/04/2022 filed under Section 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 not responded by the PIO within stipulated period, deeming the same as refusal, the Appellant filed first appeal before the Chief Officer, Mapusa Municipal Council, Mapusa-Goa being the First Appellate Authority (FAA) on 17/05/2022.
3. The FAA also failed and neglected to hear and dispose the first appeal within stipulated time, therefore the Appellant landed before

the Commission by this second appeal under Section 19(3) of the Act.

4. Notices were issued to the parties, pursuant to which the Appellant appeared on 30/11/2022. The, PIO Shri. Prashant Narvekar appeared and filed his reply dated 22/09/2022 and 26/10/2022, representative of the FAA, Adv. Pallavi Dicholkar appeared and filed her reply on 26/10/2022.
5. The PIO through his reply dated 22/09/2022 contended that, information with regards to point No. 1, 3d and 3e has been furnished to the Appellant and to obtain the rest of the information, assistance was sought from the concerned dealing hand under Section 5(4) of the Act and sought time to furnish the rest of the information. With regards to information at point No. 2, he offered the inspection of file on 26/09/2022 at 11:00 am in the office of the PIO at Mapusa.
6. In the course of hearing on 26/10/2022, the PIO, Prashant Narvekar appeared and submitted that, he has already given the inspection of the file to the Appellant on 28/09/2022 and to substantiate his case he produced on record the Inspection report memo dated 28/09/2022, which is duly endorsed by the Appellant.
7. The PIO also submitted that, he tried his level best to obtain the information at point No. 3(a) (b) (c) and (f), however, said information is not available in the records of Technical Section, hence, it could not be possible for him to furnish the said information.
8. In the course of argument on 20/06/2023, the incumbent PIO, Shri. Rajendra Bagkar appeared alongwith the then PIO Shri. Prashant Nagvekar and submitted that he has furnished all the available information to the Appellant and rest of the information is not available in the records of the public authority.

9. The Appellant did not participate in the appeal proceeding, I therefore presume and hold that, the Appellant has no say to offer in the matter.

10. In view of the above facts, I find no reason to prolong the matter further, hence the appeal is dismissed.

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

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner