

**GOA STATE INFORMATION COMMISSION**

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**Appeal No. 21/2021/SCIC**

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

.....Appellant

V/S

1. The Public Information Officer, M.E-II,  
Mr. Vyankatesh Sawant,  
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: 01/02/2021**

**Decided on: 04/09/2023**

**ORDER**

1. The Appellant, Shri. Jawaharlal T. Shetye r/o. H.No. 35/A, Ward no. 11, Khorlim-Mapusa, Goa by his application dated 06/10/2020 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. Since the said application was not responded by the PIO within the stipulated time, deeming the same as refusal, the Appellant filed first appeal before the Chief Officer, Mapusa Municipal Council on 09/11/2020, being the First Appellate Authority (FAA).
3. The FAA by its order dated 14/01/2021, allowed the first appeal and directed the PIO to furnish the information.
4. Since the PIO failed and neglected to comply with the order of the FAA dated 14/01/2021, the Appellant preferred this second appeal before the Commission under Section 19(3) of the Act.

5. Notices were issued to the parties, pursuant to which, the Appellant appeared in person on 19/04/2021, the PIO, Shri. Vyankatesh Sawant appeared and filed his reply on 07/12/2021, the FAA duly served chose not to appear in the matter.
6. Since, Shri. Vyankatesh Sawant has been transferred from Mapusa Municipal Council, fresh notice was issued to the incumbent PIO on 31/03/2022.
7. The incumbent PIO, Shri. Rajendra Bagkar appeared on 09/09/2022 and submitted that he is ready and willing to furnish the information, therefore, the Commission directed the PIO to furnish the information and matter was posted for compliance.
8. In the course of hearing on 12/12/2022, the PIO, Shri. Rajendra Bagkar appeared and filed his additional reply alongwith bunch of documents and submitted that information with regards to point No. 4 and 5 has been furnished to the Appellant and information with regards to point No. 1, 2 and 3 cannot be furnished as the issue is pending before the Court. The Commission therefore directed the PIO to file the details of the case proceeding and matter was posted for arguments.
9. During the course of arguments on 14/07/2023, the PIO appeared and filed his additional reply dated 14/07/2023. The Appellant received the copy of the additional reply and submitted that he does not wish to proceed further in the matter.

In view of the submissions of the Appellant, the matter is disposed off. Proceeding closed.

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

Sd/-

**(Vishwas R. Satarkar)**

State Chief Information Commissioner