

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

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Appeal No. 33/2022/SCIC

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

.....Appellant

V/S

1. The Public Information Officer,
The Additional Director,
Department of Urban Development,
(Municipal Administration),
Dempo Towers, 1st Floor, Patto,
Panaji-Goa.

2. The Public Information Officer,
Mapusa Municipal Council,
Mapusa, Bardez-Goa 403507.

3. 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: 01/02/2022

Decided on: 22/02/2023

FACTS IN BRIEF

1. The Appellant, Shri. Jawaharlal T. Shetye r/o. H.No. 35/A, Ward no. 11, Khorlim, Mapusa-Goa vide application dated 06/09/2021 filed under the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought certain information from the Public Information Officer (PIO), the Additional Director of Municipal Administrator & Urban Development, Dempo Towers, Patto, Panaji-Goa.
2. The office of the Department of Urban Development (Municipal Administration) transferred the said application to the PIO, Mapusa Municipal Council, Mapusa-Goa on 17/09/2021 under Section 6(3) of the Act with request to furnish the information as regards to point No. 2 and 3 directly to the Appellant.

3. The PIO of the Department of Urban Development (Municipal Administration) responded to the Appellant on 23/09/2021 in the following manner:-

"With reference to your RTI application dated 06/09/2021 seeking certified copy of the report at Sr.No. (i) you are hereby informed that no report has been received till date from Mapusa Municipal Council on your complaint dated 27/09/2018."

4. Since the said application was not responded by the Respondent No. 2, the PIO of Mapusa Municipal Council, the Appellant filed first appeal before the Chief Officer, Mapusa Municipal Council at Mapusa, Bardez-Goa being the First Appellate Authority (FAA) on 01/11/2021.
5. The FAA vide its order dated 22/12/2021 allowed the first appeal and directed the PIO to furnish the information free of cost to the Appellant within a period of 15 days.
6. Since the PIO failed and neglected to comply the order of the FAA dated 22/12/2021, the Appellant landed before the Commission by this second appeal under Section 19(3) of the Act.
7. Notices were issued to the parties, pursuant to which the representative of Respondent No. 1, Adv. Firdous Saba appeared and placed on record the reply of the Respondent No. 1. The APIO, Shri. Rajendra Bagkar appeared and filed reply alongwith the documents on 26/10/2022. The representative of Respondent No. 3 (FAA), Adv. Pallavi Dicholkar appeared and filed her reply on 26/10/2022 and matter was posted for arguments on 30/11/2022.
8. In the course of hearing on 30/11/2022, copy of the reply alongwith the documents filed by the PIO is furnished to the Appellant. The copy of the reply filed by the FAA is also furnished

to the Appellant and matter was posted for final argument on 10/01/2023.

9. During the course of argument on 22/02/2023, the incumbent PIO, Shri. Rajendra Bagkar appeared alongwith Santosh Humraskar and submitted that, available information has been furnished to the Appellant on 26/10/2022.

10. The Appellant remained absent for hearings on 10/01/2023 and 22/02/2023 or rebutted the contention of the PIO. I therefore, presume and hold that the Appellant is satisfied with the information provided by the PIO. Accordingly the matter is disposed off.

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

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner