

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

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Appeal No. 43/2023/SCIC

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

.....Appellant

V/S

1. The Public Information Officer,
Rajendra Bagkar (Head Clerk),
Mapusa Municipal Council,
Mapusa-Goa 403507.

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

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 27/01/2023

Decided on: 06/06/2023

ORDER

1. The Appellant, Shri. Jawaharlal T. Shetye r/o. H.No. 35/A, Ward No. 11, Khorlim, Mapusa-Goa vide application dated 31/10/2022 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. Since 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 12/12/2022 under Section 19(1) of the Act, being the First Appellate Authority (FAA).
3. The FAA vide its order allowed the first appeal on 10/01/2023 and directed the PIO to furnish the information to the Appellant free of cost within 15 days.

4. Since the PIO failed and neglected to comply with the order of the FAA dated 10/01/2023, the Appellant preferred this second appeal under Section 19(3) of the Act, before the Commission on 27/01/2023.
5. Notices were issued to the parties, pursuant to which the Appellant appeared in person on 10/03/2023, the PIO, Rajendra Bagkar appeared on 10/03/2023 and collected the copy of the appeal memo. The representative of the FAA, Adv. P. Dicholkar appeared on 10/03/2023, however opted not to file any reply in the matter.
6. In the course of hearing on 19/04/2023, the PIO, Rajendra Bagkar appeared and filed his reply and bunch of documents alongwith the additional set of documents to the Appellant and submitted that he has complied with the order of the FAA and furnished all the available information to the Appellant. Since the Appellant did not appear for the hearings, opportunity was granted to the Appellant to collect the copy of documents from the office of the Commission and matter was posted for clarification/ order on 06/06/2023.
7. During the course of hearing on 06/06/2023, the PIO, Shri. Rajendra Bagkar appeared and submitted that he has furnished set of documents to the Appellant on 01/06/2023. He also produced on record the endorsement of the Appellant that he received the information on 01/06/2023. Records suggest that the PIO complied with the order of the FAA and furnished information to the Appellant.
8. Since the Appellant did not appear for the hearings, I presume and hold that the Appellant is satisfied with the information provided by the PIO. Since the purported information has been provided by the PIO, nothing survives in the appeal. Accordingly, the matter is disposed off.

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

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner