

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

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Appeal No. 73/2021/SCIC

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

.....Appellant

V/S

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

2. The First Appellate Authority,
The Director of Municipal
Administration and Urban Development,
Dempo Towers, 1st Floor,
Patto, Panaji-Goa.

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner

Filed on: 22/03/2021

Decided on: 19/05/2023

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 06/10/2020 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), Additional Director of Municipal Administration and Urban Development, Panaji-Goa.
2. The said application was responded by the PIO on 26/10/2020 in the following manner:-

"I am to refer to your application dated 06/10/2020 on the above mentioned subject and to inform you that the information sought by you with regard to your representation/ complaint date 15/09/2020 is under consideration."

3. Not satisfied with the reply of the PIO, the Appellant filed first appeal before the Deputy Director, Urban Development at Panaji-Goa on 08/12/2020 being the First Appellate Authority (FAA).
4. According to the Appellant, since the FAA failed to hear and dispose the first appeal within stipulated time, he 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 20/08/2021, the representative of the PIO and the FAA, Adv. Firdous Saba appeared and placed on record the reply of the PIO dated 13/06/2022 and the reply of the FAA dated 13/06/2022.
6. The PIO through his reply dated 13/06/2022 contended that, the Appellant shall collect the information sought for, by inspecting the entire court file on any working day and collect the required information as desired by making necessary payment.
7. The FAA through his reply contended that, in the course of hearing of the first appeal, the Appellant remained absent and did not attend the hearing held on 05/01/2021, 12/01/2021 and 19/01/2021, except, for the first date of hearing held on 22/12/2020. He further submitted that, since the Appellant failed to appear for three consecutive hearings, his predecessor disposed off the first appeal on 19/01/2021.
8. In the course of hearing on 31/03/2023, Adv. Dipti Chodankar appearing for Respondents submitted that, she is ready and willing to furnish the information/ inspection. The Commission in order to sort out the issue, fixed joint inspection of the relevant file on 12/04/2023 between 3:30 pm to 4:30 pm in the office of the PIO, directing the Appellant to remain present in the office of the PIO at Panaji-Goa on fixed time and day and indicate the required

documents to take out the copies and the matter was posted for compliance on 19/04/2023.

9. During the course of hearing on 19/04/2023 and thereafter none of the parties appeared before the Commission and participated in appeal proceeding inspite of opportunities viz. 02/05/2023 and 19/05/2023. I therefore presume and hold that, the Appellant has no say to offer in the matter and he is satisfied with the inspection of record/ information provided by the PIO.

10. In view of above facts and circumstances, I find no reason to prolong the proceeding further, hence appeal is disposed off.

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

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner