

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

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Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 300/2022/SIC

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

-----Appellant

V/s

1. The Public Information Officer (PIO),
Mapusa Municipal Council,
Mapusa-Goa, 403507
2. The First Appellate Authority (FAA),
The Chief Officer,
Mapusa Municipal Council,
Mapusa-Goa

-----Respondents

Relevant dates emerging from appeal:

RTI application filed on	: 16/09/2022
PIO replied on	: 27/10/2022
First appeal filed on	: 17/10/2022
First Appellate Authority order passed on	: 18/11/2022
Second appeal filed on	: 05/12/2022
Decided on	: 17/04/2023

ORDER

1. The brief facts of this appeal are that the appellant under section 6(1) of the Right to Information Act (for short, the 'Act') had sought certain information. Upon receiving incomplete information from Respondent No. 1, Public Information Officer (PIO) he filed appeal before Respondent No. 2, First Appellate Authority (FAA). FAA directed PIO to furnish remaining information, however the directions were not complied by the PIO. Being aggrieved, appellant under section 19 (3) of the Act preferred second appeal against Respondent No. 1, PIO

and Respondent No. 2, FAA, which came before the Commission on 05/12/2022.

2. The concerned parties were notified and the matter was taken up on board for hearing. Appellant appeared in person on 12/01/2023 and 02/02/2023 and prayed for the complete information. Shri. Rajendra Bagkar, present PIO appeared in person and filed submission on 02/02/2023 and compliance report dated 22/02/2023. Smt. Pallavi Dicholkar appeared on behalf of the FAA.
3. Upon perusal of the records it is seen that, the appellant vide application dated 16/09/2022 had sought information on six points. In response, PIO furnished information on point No. 5 and 6. FAA while disposing the first appeal directed the PIO to furnish information on point no. 1 to 4 within 15 days, however, PIO failed to comply with the said order.
4. Appellant, aggrieved by non receipt of the remaining information appeared before the Commission. In the meanwhile, Shri. Rajendra Bagkar, Head Clerk was designated as PIO of Mapusa Muncipal Council. Shri. Rajendra Bagkar appeared on 02/02/2023 before the Commission, filed a submission and stated that vide letter dated 23/01/2023 he had furnished part information to the appellant and requested for more time to furnish remaining information. Time was granted to the present PIO.

5. Later on 22/02/2023, Shri. Rajendra Bagkar filed compliance report in the registry and on 16/03/2023 stated before the Commission that he had dispatched the remaining information to the appellant by registered AD Post. PIO produced copy of the acknowledgement card received from the post office.

6. In the background of the facts as mentioned above, the Commission finds that the information sought by the appellant vide application dated 16/09/2022 has been furnished by the PIO. Thus, the Commission concludes that the prayer for information becomes infructuous and no more intervention of the Commission is required in the instant matter.

7. Hence, the present appeal is disposed accordingly and the proceeding stands closed.

Pronounced in the open court.

Notify the parties.

Authenticated copies of the Order should be given to the parties free of cost.

Aggrieved party if any, may move against this order by way of a Writ Petition as no further Appeal is provided against this order under the Right to Information Act, 2005.

Sd/-
(Sanjay N. Dhavalikar)
State Information Commissioner
Goa State Information Commission
Panaji - Goa