

**GOA STATE INFORMATION COMMISSION**

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**Shri. Sanjay N. Dhavalikar**, State Information Commissioner

**Appeal No. 238/2022/SIC**

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

-----Appellant

**v/s**

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

2. The First Appellate Authority,  
The Chief Officer,  
Mapusa Municipal Council,  
Mapusa-Goa 403507.

-----Respondents

**Relevant dates emerging from appeal:**

RTI application filed on	: 23/05/2022
PIO replied on	: Nil
First appeal filed on	: 27/06/2022
First Appellate Authority order passed on	: 04/08/2022
Second appeal received on	: 08/09/2022
Decided on	: 27/03/2023

**ORDER**

1. The second appeal filed under Section 19 (3) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act') by the appellant, against Respondent No. 1, Public Information Officer (PIO) and Respondent No. 2, First Appellate Authority (FAA), came before the Commission on 08/09/2022.
2. The brief facts of this appeal, as contended by the appellant are that he had sought certain information from the PIO, upon not getting any reply within the stipulated period, he filed appeal before the FAA. The said appeal was decided by the FAA vide order dated 04/08/2022 with direction to the PIO to furnish information within 30 days. However, it is the contention of the appellant that the PIO intentionally ignored to furnish the information and being aggrieved, he appeared before the Commission by way of second appeal.
3. Notices were issued to the concerned parties and the matter was taken up for hearing. Appellant appeared and pressed for the information. PIO and APIO appeared and undertook to furnish the information. Smt. Pallavi Dicholkar appeared on behalf of the FAA under authority letter.

4. Upon perusal of the records of the present matter it is seen that, the appellant vide application dated 23/05/2022 had sought information on eight points (a to h) and the said application was not responded by the PIO within the stipulated period. Aggrieved, appellant filed appeal before the FAA and the said appeal was disposed by the FAA with direction to PIO to furnish the information within 30 days. Yet, the information was not furnished and the aggrieved appellant was compelled to prefer second appeal before the Commission.
5. It was seen during the proceeding that the public authority in the present matter, Mapusa Municipal Council has three PIOs namely Shri. Prashant Narvekar (Technical Section), Shri. Abhay Rane (Taxation Section) and Shri. Santosh Humraskar (Administration Section), yet no PIO filed any reply before the Commission. Hence, notice dated 02/12/2022 was issued to Shri. Prashant Narvekar, Shri. Abhay Rane and Shri. Santosh Humraskar for appearance and reply. Pursuant to the notice, Shri. Santosh Humraskar, PIO, Administration Section vide reply dated 20/12/2022 stated that the requested information does not pertain to his section.
6. Later, Shri. Rajendra Bagkar, the present PIO vide compliance report dated 22/02/2023 stated that, information on point g and h pertaining to Taxation section has been furnished to the appellant. It was informed by Shri. Rajendra Bagkar that vide order dated 18/11/2022 issued by Shri. Gurudas P. Pilarnekar, Director of Urban Development, Shri. Rajendra Bagkar, Head Clerk has been designated as PIO of Mapusa Municipal Council.
7. This being the case, the Commission finds that, the PIO has furnished information on point g and h, and the appellant has not yet received information on point a, b, c, d, e and f. The same is required to be furnished by the PIO, and the appeal needs to be disposed accordingly.
8. Thus, the present appeal is disposed with the following order:-
  - a) PIO is directed to furnish information on point no. a, b, c, d, e and f sought by the appellant vide application dated 23/05/2022, within 20 days from receipt of this order, free of cost.
  - b) All other prayer are rejected.

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