

## **GOA INFORMATION COMMISSION**

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.

Appeal No. 129/SCIC/2008

Mr. Antonio Lobo (Advocate),  
R/o Feira Alta, Mapusa – Goa.

..... Appellant.

V/s.

1. Public Information Officer,  
The Chief Officer,  
Mapusa Municipal Council,  
Mapusa, Bardez – Goa.
2. First Appellate Authority,  
The Director of Urban Development,  
Collectorate Building, Panaji - Goa.

..... Respondents.

### **CORAM:**

Shri A. Venkataratnam  
State Chief Information Commissioner

(Per A. Venkataratnam)

Dated: 30/12/2008.

Appellant present in person.

Shri. Dinkar Mhamal, APIO on behalf of Respondent No. 1.

Respondent No. 2 absent.

### **ORDER**

The Appellant approached the Respondent No. 1 for information on erection of signages and markings on pedestrian crossing in parking areas in the town of Mapusa. There was no reply from the Respondent No. 1 within the statutory time period because of which the Appellant has appealed on 5/8/2008 to the Respondent No. 2 for deemed refusal of information to him. The First Appellate Authority passed his order on 14/07/2008 directing the Public Information Officer to reply to the request dated 28/4/2008, whereas the request for information is dated 26/06/2008. The information requested now by the Appellant is regarding road signages whereas the direction given by the First Appellate Authority is about the issues of overflowing the septic water and the general hygiene of the meat and fish sold in Municipal market. Obviously, the First Appellate Authority has not decided the present appeal/request and has confused with another request of the Appellant. This has happened with the office of the First Appellate Authority in a number of other cases

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as well and I had occasion to mention earlier that the records of the First Appellate Authority have to be first properly maintained.

2. On notices having been issued, the Public Information Officer has submitted his reply and enclosed his reply dated 17/10/2008 sent to the Appellant. Pointwise reply is given now, though late. A perusal of the answers given shows that the action taken by the Municipal Council is clearly mentioned therein. The grievance of the Appellant is, therefore, does not survive and the appeal stands disposed. The Appellant could not see the copy of the reply filed before the Commission as the hearing fixed on 9/10/2008 was adjourned to 10/12/2008 because of declaration of a holiday by the Government suddenly. However, he is free to approach the Commission with another complaint on the reply furnished by the Chief Officer if it is not satisfactory, specifically, mentioning points for which the reply is inadequate or misleading. The Chief Officer, Mapusa Municipal Council on his part is directed to adhere to the time specified in the RTI Act for replying to the request of the citizen.

3. The second appeal is disposed off accordingly.

Pronounced in the open court on this 30<sup>th</sup> day of December, 2008.

Sd/-  
(A. Venkataratnam)  
State Chief Information Commissioner



