

GOA STATE INFORMATION COMMISSION

Kamat Tower, Seventh Floor, Patto Panaji-Goa

CORAM: Smt. Pratima K. Vernekar, State Information Commissioner.

Appeal No.74/ SIC/2015/

Shri Vaman S. Gaitonde,
Office No. F-3, St.Peter's Building,
Nr. Old Mapusa Clinic,
Mapusa Bardez Goa. 403507.

.....Appellant

V/s.

1. The Public Information Officer (PIO),
Dy.Collector of Bardez,
Mapusa,Bardez Goa
2. The First Appellate Authority (FAA),
The Additional Collector-I,
Collectorate-North,
Panaji-Goa

...Respondents

Appeal Filed on: 06/07/2015

Disposed on: 22/08/2016

ORDER

1. Brief facts of the case are that the Appellant, Shri Vaman S. Gaitonde had filed applications dated 01/04/2015 under section (6) of RTI (Right to Information) Act with the PIO (Public Information Officer), Deputy Collector of Bardez, Mapusa, Bardez-Goa for seeking certain information and documents with respect to:-
 - a) Case No. 15/211/2009/PART/Land/DC-II and
 - b) Case No. LND/PART/7/87/7383/ (Village Oxel)
2. As his said application was not responded by the Respondent No. 1, Public Information Officer (PIO) and as Respondent No. 1/PIO failed to submit him the information, the Appellant then filed 1st Appeal before the Additional Collector-I, North, Panjim-Goa being First Appellate Authority (FAA) on 29/05/2015.

3. It is the case of the Appellant upon filing of the 1st Appeal before the Respondent No. 2, FAA vide letter dated 12/06/2015 he was pleased to receive information with respect to the case No. 15/211/2009/PART/Land/DC-II. However in respect to case No. LND/PART/7/87/7383/(Village Oxel) the same was not furnished to the Appellant on the pretext of same could not be traced on account of the record being very old of more then 25 years are in delibilated condition and beyond identification.
4. The Appellant being not satisfied with the reply of the Respondent No. 1, PIO then came before this Commission by way of 2nd Appeal under section 19(3) before this Commission, seeking directions to provide necessary information in respect of the case No. LND/PART/7/87/7383(Village Oxcel).
5. After notifying parties, matter was listed on the board and taken up for hearing.
6. Despite of due service Appellant failed to appear before this Commission. Respondent No. 1, PIO was represented by Shri Pravin Gawas, Awal Karkun and Respondent No. 2 was absent.
7. On 15/07/2016 a application dated 01/07/2016 of Appellant was filed in the office of this Commission. The said application was inwards by inward clerk bearing Inward No. 965 dated 15/07/2016, which was placed before me on 19/07/2016.
8. On 18/07/2016 when the matter was taken Appellant aswellas Respondent remained absent and as such matter was fixed on 22/08/2016, for the reply of Respondent and for confirmation of the application filed by the Appellant dated 01/07/2016 for withdrawal of the present Appeal. On the subsequent date as none appeared on behalf of Appellant it appears that he is not interested in the proceedings. He has also mentioned said fact in his application for withdrawal. Vide his said application he has intimated this Commission that as the same file is untraceable and beyond the reach and control of Respondent No. 1, PIO, he is voluntarily withdrawing this case without any due force. In such

circumstances I am of the opinion that the prayer of the Appellant for withdrawal has to be granted.

The present appeal is disposed as withdrawn.

Proceedings stand closed.

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.

Pronounced in the open court.

Sd/-

(Pratima K. Vernekar)
State Information Commissioner
Goa State Information Commission,
Panaji-Goa