

GOA STATE INFORMATION COMMISSION

Kamat Towers, Seventh Floor, Patto, Panaji, Goa

Complaint No.214/SIC/2010

Shri Kashinath Shetye,
Bambino Building, Alto-Fondvem,
Ribandar Tiswadi, Goa.**Complainant**
V/s.

1. Public Information Officer
Engineering Officer,
Water Resources Department,
Junta House, Panaji-Goa.,
2. First Appellate Authority,
The Chief Engineer,
Water Resources Dept.,
Junta House, Panaji-Goa.,
3. Public Information Officer
Superintending Engineer I,
Water Resources Dept.
Junta House, Panaji-Goa Opponent

CORAM :

Shri Prashant S.P. Tendolkar, State Chief Information
Commissioner,
Smt. Pratima K. Vernekar, State Information Commissioner,
Shri Juino De Souza, State Information Commissioner.

DISPOSED ON: 27/05/2016

FACTS:

1. By application, dated 08/02/2010, under section 6 of the RTI Act, 2005 the Complainant sought from the Chief Engineer, Water Resources Department, Junta House, Panaji-Goa certain information to (8) queries as enlisted therein.

2. By letter, dated 10/02/2010, the PIO of the said office i.e. Water Resources Department transferred the said query to PIO, circle office I, Water Resources Department Panaji. A copy of the said letter for transfer was marked to Complainant.
3. By letter dated 26/02/2010, the Complainant has informed the Chief Officer, Water Resources Department, to whom the application U/S 6 was addressed, that he is withdrawing his said application dated 08/02/2010, filed u/s 6 of the Act.
4. It is intimated to the Complainant by Chief Engineer, that no letter dated 08/02/2010 was received by him. However the Executive Engineer-I informed the Complainant that information is ready and the same can be collected on payment of necessary fees.
5. Apparently the Complainant is aggrieved by the order of transfer of letter dated 10/02/2010 and the letter dated 04/03/2010 and has filed present Complaint.

FINDINGS:

6. We have perused the records. On the face of it, it is seen that the cause of action for present proceedings started on the bases of the letter, dated 08/02/2010 seeking information u/s 6 of the Act. The said application was routed further but in the meantime by application, dated 26/02/2010, the Complainant withdraws the said application, dated 08/02/2010. Though, from the office of the Water Resources Department further correspondence continued, for the Complainant the request was finalized by his withdrawal. Hence the cause of action vis a vis the Complainant stood closed. The Complainant thereafter cannot have any grievance against the Public Authority.

7. This being the situation and as the application u/s 6 of the RTI had already stood withdrawn nothing survived therein for proceeding with the Complaint and hence the Complainant cannot be deemed to be an aggrieved party. Consequently the Complainant after 26/02/ 2010 had no locus standie to file any Complaint or Appeal. In the circumstances the Complaint is not maintainable and requires to be dismissed. Hence we dispose the present proceedings by the following:

ORDER

The Complaint stands dismissed.

Parties to be notified.

Pronounced in open Court.

Sd/-

(Shri Prashant S.P. Tendolkar)
State Chief Information Commissioner,

Sd/-

Smt. Pratima K. Vernekar,
State Information Commissioner,

Sd/-

Shri Juino De Souza,
State Information Commissioner.