## BEFORE THE GOA STATE INFORMATION COMMISSION Seventh Floor, Kamat Towers, Patto, Panaji, Goa.

## Penalty 56/2016 In Appeal No. 54/SIC/2014

Shri Prabhakar S.Yende,
President Mapusa Jana Jagruiti Samiti,
H.No. 35, Ward No. 11,
Khorlim,
Mapusa-Goa. ....Appellant.

V/s.

Public Information Officer,
Shri Raju Gawas,
Mapusa Municipal Council,
Mapusa Goa. ...........Respondent

**Decided on:** 30/01/2017

## **ORDER**

- 1. While disposing the above appeal by an order dated 15/12/2016 this Commission had directed Respondent No. 1 Public Information Officer (PIO), Mapusa Municipal Council Mapusa-Goa to furnish the information to the Appellant Shri Prabhakar Yende as sought by him. Vide his application dated 04/12/2013 by Registered A. D. within 15 days from the date of receipt of the Order and to file compliance report. In the same order, this Commission also issued Notice under section 20 (1) and notice under 19, 8(b) of Right To Information Act and also seeking reply from PIO to showcause why Compensation and Penalty as prayed for, should not granted.
- 2. In pursuant to the said show cause notice dated 6/01/2017, then Public Information Officer (PIO ) Raju Gawas present along with Advocate Appolonia Mesquita.
- 3. The copy of the information furnished to the appellant by the present PIO Uday Salkar along with documents was submitted to this Commission on 19/01/2017.
- 4. During the hearing on 30/01/2017 the Appellant appeared in person. The then PIO Shri Raju Gawas was present along with

Advocate Misquita. Appellant submitted that he has received the information sought by him as per his requirement and to his satisfaction, he further submitted that he has not authorized any person to pursue the matter before this Commission. He further submitted he has got no grievance against the Respondent and wishes to withdraw the appeal. Accordingly he filed application. Since the information is furnished to the Appellant to his satisfaction, no intervention of this Commission is required for the purpose of furnishing the information.

- 5. The Public authority / Public Information Officer must introspect non furnishing of the correct information lands citizen before First Appellate Authority and also before Commission resulting into unnecessary harassment of the common man which is socially abhorring and legally impermissible. The conduct of Respondent No. 1 then PIO and his indifferent approach to the entire issue is against the mandate of Right to Information Act as such this Commission warns the then PIO that any such future lapses on his part will be viewed seriously.
- 6. Since the Appellant is not interested in proceeding with the present appeal proceedings and that since he doesont have any grievances against the Respondent PIO and in view of his application for withdrawal of the appeal, nothing survives to be decided in the present proceedings.
- 7. The appeal is dismissed as withdrawn.

Proceedings stands 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 under the Right to Information Act 2005.

Sd/-(Ms. Pratima K. Vernekar)

State Information Commissioner Goa State Information Commission, Panaji-Goa