

GOA STATE INFORMATION COMMISSION

'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

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

Penalty No. 42/2016
in
Appeal No. 90/SIC/2014

Adv. Joel Mendes,
Shantadurga Apartments, F-1,
Dr.Minguel Miranda Road,
Margao Salcete Goa.

..... Appellant

V/s.

Public Information Officer
Office of the Chief Officer,
Margao Muncipal Council,
Margao, Salcete,Goa.

..... Respondents

Decided on: **31/01/2017**

ORDER

1. While disposing the above appeal, by an order dated 13/10/2016, this Commission directed Respondent No. 1 PIO, Office of the Chief Officer, Margao Muncipal Council to furnish the information to the appellant within 20 days from the date of receipt of the Order as per his application dated 28/01/2014. In the said order this Commission also issued notice under section 20(1) and under section 19(8) (b) of the RTI Act and also seeking reply from Public Information Officer (PIO) to showcause as to why the penalty and compensation should not be granted.
2. In pursuant to the Showcause notice on behalf of Respondent PIO Shri S. D. Gaonkar appeared alongwith the Advocate S. Naik and filed reply to the Showcause notice. Vide said reply they have furnished names of then PIO. As such the showcause notice was issued to Shri Y. V. Tavde, Narayan R. Sawant and Shri Navin S. L. who filed their respective replies on 06/12/2016, trying to explain that there was no malafide and deliberate intention on their part.

3. The compliance report also came to be filed by the present PIO on 06/12/2016.
4. The Appellant appeared before this Commission on 09/01/2017 and submitted to this Commission that the Respondent have furnished the information as per his requirement and satisfaction and he further informed that the Respondents have explained him reason for the delay in providing information and he is convinced by their explanation and he is satisfied with the reasons/explanation of then PIO that there was not malafide or deliberate, intentions on part of Respondent PIO. He further submitted that he is not pressing for penalty and desires to withdraw the same accordingly he filed application.
5. In view of the submissions made by the Appellant and the applications filed by him for withdrawal of proceedings nothing survives to be decided in the present proceedings.
6. As such penalty proceeding stands dismissed as withdrawn.

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/-

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