

**GOA STATE INFORMATION COMMISSION**  
 'Kamat Towers', Seventh Floor, Patto, Panaji – Goa

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**Complaint no. 35/2017**

Dr. (M.S.) Kalpana V. Kamat,  
 R/o. Caldeira Arcade, 1<sup>st</sup> floor, Bhute Bhat,  
 Vasco da Gama 403 802 .....Complainant  
 v/s

1)Then Public Information Officer(PIO),  
 Mormugao Muncipal Council,  
 Vasco-Goa

2)First Appellate Authority (FAA),  
 Director of Muncipal Administration,  
 Panaji-Goa .....Respondent

**CORAM:**

**Smt. Pratima K. Vernekar**, State Information Commissioner

**Filed on 27/11/2017**

**Decided on: 03/05/2018**

**ORDER**

1. The present Complaint filed by Dr. Kalpana V. Kamat as against Respondent No. 1 Public Information Officer (PIO) of Mormugao Municipal Council and as against First Appellate Authority for not complying the order of this Commission dated 19/05/2017. In the said Complaint she has sought for the direction for providing the information and for invoking penal provisions and compensation.
2. In pursuant to the notice of this Commission, the Complainant was present in person. The Respondent PIO was represented by Advocate V. V. Pednekar.
3. Reply came to be filed by PIO Shri Manoj B. Arsekar on 23/03/2018 alongwith the enclosures. The copy of the same was furnished to the Complainant. Vide reply the Respondent PIO have contended that the order dated 19/05/2017 in appeal No. 60(A)/SIC/2014 was received by them on 27/06/2017. It was

further contended that the Complainant has visited the Vasco Municipal Council on 7/07/2017 and inspected the file and after inspection she has marked the papers required by her and same was Xeroxed and supplied to her free of cost. It was further contended that whatever information available with public authority on record have been supplied to the Complainant. It was further contended that since he was transferred w.e.f. 26/10/2017 he could not keep track of the said matter and that present PIO has complied the information as sought and as directed by this forum vide order dated 19/05/2017 in appeal No. 60 (A)/SIC/2014.

4. In the nutshell it was contended that there was no malafide intention to obstruct the information and the present PIO again volunteer to supply the said information to appellant. In support of above contention PIO relied upon the memorandum of inspection bearing the signature of the complainant given in appeal no. 60(A)/SIC/2014 and also in appeal no. 163/SIC/2012. The copy of the reply alongwith the enclosures were furnished to the Complainant.
5. The Complainant then submitted that she is interested in receiving the information rather than penalising the PIO. In the interest of justice and by considering the intent of RTI Act, the PIO was directed to do the needful and the date for inspection was mutually fixed on 2/05/2018 by both the parties.
6. On the subsequent date of hearing, Advocate V. V. Pednekar for Respondent PIO submitted that the inspection was carried out by Complainant on 2/05/2018 and that he has prepared point wise reply. The Complainant admitted of having carried out the inspection however her grievance was that inspection of one file pertaining to Gajanan Chari were given to her and no inspection

of Nayak building and other constructions pertaining to Naik Family from Baina were not given to her. She further submitted that she is ready to accept pointwise information. Accordingly copy of pointwise information was furnished to complainant by Advocate V. V. Pednekar who verified the same during the course of hearing. She further submitted that even though she is not fully satisfied with the said information, she has got no further grievance against PIO and she expressed her desires to withdraw the present complaint. Accordingly she endorsed her say on the memo of complaint.

7. In view of the submission of the complainant and the endorsement made by her, I find no reason to proceed with the Complaint.
8. In the above given circumstances following order is passed.

**ORDER**

Complaint stands 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 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

Kk/-