

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

Appeal No.240/2019/SIC-I

Shri Deepak Shetye,
R/o. House No. 653,
Pintos Wado, Candolim ,
Bardez-Goa.

..... Appellant.

V/s

1) The Public Information Officer,
Village Panchayat, Candolim,
Candolim ,Bardez-Goa.

..... Respondent.

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

Filed on: 02/08/2019

Decided on: 26/11/2019

O R D E R

1. The brief facts leading to present appeal as stated in the memo of appeal are as under:-

- a) The appellant Shri Deepak Shetye vide his application dated 20/04/2019 had sought for certain information as listed therein at point 2(a) to 2(p) in the said application pertaining to the Hotel Tree House (also known as Lemon Tree) situated in a property bearing survey No. 224/7-B of Village Candolim at Pinto Wado, Candolim-Goa. The said information was sought from Respondent PIO by the appellant in exercise of appellant's right u/s 6(1) of Right to Information Act, 2005.
- b) It is contention of the appellant that his above application was responded by Respondent, PIO on 27/05/2019 interms of subsection (1) of section 7 of RTI Act, 2005.
- c) It is contention of the appellant that he was not satisfied with the above reply of Respondent PIO and as respondent failed to give complete information pertaining to points No. 2(a) to 2(e) , 2(g) to 2(i), 2(o) and 2(p) as such he filed first appeal interms of sub section (1) of section 19 of RTI Act 2005 on

12/06/2019 before the office of the Block Development Officer of Bardez at Mapusa-Goa being First appellate authority which was registered as appeal No. BDO-II-BAR/RTI/25 of 2019.

- d) It is contention of the appellant that First Appellate Authority (FAA) vide order dated 03/07/2019 was pleased to allow his appeal and directed PIO to furnish information upon inspection of the same by the appellant within five days from the date of inspection of the records.
 - e) It is the contention of the Appellant in pursuant to the letter bearing number VPC/33-905/2019-20 dated 05/07/2019 he carried out the inspection and after due inspection he once again vide letter dated 10/07/2019 requested PIO to issue information which was not furnished by PIO in his reply dated 21/05/2019.
 - f) It is the contention of the appellant that in pursuant to his above letter the Respondent vide his letter bearing No. VPC/33/1163/2019-20 dated 31/07/2019 again made same statement as what was stated by him in his first reply dated 27/5/2019.
 - g) It is contention of the Appellant that he being aggrieved by such an action of the Respondent, and as no information is furnished till date to him by PIO as such he has been forced to approach this Commission on 02/8/2019 in the second appeal as contemplated under sub-section (3) of section 19 of RTI Act, 2005.
2. In this background the present appeal has been filed on the grounds raised in the memo of appeal with the contention that complete information is still not provided and seeking order from this Commission to direct the Respondent PIO for providing

information as sought by him vide application dated 20/04/2019, free of cost and for invoking penal provisions .

3. The matter was taken up on board and listed for hearing. In pursuant to notice of this commission appellant appeared alongwith Advocate Gurudas Narvekar. Respondent PIO Shri Lawrance Rebello was present.
4. The Advocate for the appellant during the hearing on 26/11/2019 submitted that the Appellant desire to withdraw the present Appeal proceeding and does not desire to press for the relief sought at prayer(II)which is a penal nature. Accordingly endorsement have been made by the Appellant on the last page of memo of appeal.
5. In view of the submissions of the Advocate for the Appellant and the endorsement made for withdrawal of the appeal proceeding by the appellant, I find no reasons to proceed with the appeal proceeding and nothing survives to be decided. Hence the appeal proceedings stands disposed and closed 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