

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

Complaint No. 42/2018/SIC-I

Mrs. Sushma R. Morje,
H. No. 536, Maina Patto waddo,
Camurlim, Bardez Goa.

.....Complainant

V/s

1. First Appellate Authority,
The Superintendent Engineer-II, North Panaji,
Electricity Department, IIInd floor,
Vidyut Bhavan, Panaji Goa.

2. The State Public Information Officer,
The Executive Engineer,
Electricity Div. XVII,
Mapusa-Goa.

.....Respondents

CORAM:

Smt. Pratima K. Vernekar, State Information Commissioner

Filed on: 27/07/2018

Decided on:07/03/2019

ORDER

1. This order disposes the present complaint filed by Mrs Sushma R. Morje u/s 18 of the RTI Act, 2005. The brief facts of the present complaint are as under;
2. The Complainant by an application dated 23/01/18 filed u/s 6(1) of the RTI Act , 2005 sought for certain information on two points as stated therein in the said application from the Respondent no. 2, PIO of the Office of Executive Engineer, Electricity Division XVII, Mapusa, Goa.
3. It is the contention of the Complainant that she did not receive any reply to her above application nor any information was furnished to her by the PIO within the stipulated time of 30 days as contemplated under the RTI Act.
4. It is the contention of the Complainant that her application was responded only on 8/3/2018 by Respondent no. 2 PIO and the

information which came to be furnished to her was vague, incomplete and incorrect.

5. As the information as sought was not furnished, the Complainant filed 1st appeal u/s 19(1) of RTI, 2005 on 19/03/2018 before the Superintendent Engineer, Circle II being the first appellate authority, who is the Respondent no 1 herein.
6. It is the contention of the Complainant that Respondent no 1 first appellate authority by an order dated 6/04/2018 directed the Respondent no 2 PIO to furnish the required information as desired by the appellant immediately and also directed to instruct the concerned Assistant Engineer to inquire regarding the illegality of the connection released to M/s Simeshwar Garage at Maina, Camurlim and to submit the action taken on the same.
7. According to the Complainant the Respondent no 2 PIO did not comply with the order of the first appellate authority despite of she persistently following up the matter with Respondent PIO and that after persistent followed the said matter with the PIO, the information was submitted to her by PIO vide letter dated 18/05/2018 which according to her was wrong , misleading and vague.
8. In this background the complainant has approached this commission on 25/07/18 by way of present complainant filed against both the above named respondents with the contention that wrong, misleading and vague information has been provided to her only with the purpose of protecting the illegal operation of M/s Simeshwar Garage.
9. In the present complaint, the complainant has sought for directions for providing information/ compliance of order of first appellate authority and for invoking Penal provisions for disobeying the superior's orders.
10. In pursuant to the notice of this commission the complainant was present along with Advocate S.M.Phadte. On behalf of Respondent

no 1 first appellate authority Shri K.S Mulla appeared and filed his letter of authority. Respondent no 2 PIO Shri Shailesh Naik Burye and Shri Robert Lawrence Noronha appeared.

11. Reply filed by respondent no 1 first appellate authority on 28/8/2018 and by Respondent no 2 PIO Shri Shailesh Naik Burye on 29/1/2019 and on 08/02/2019 alongwith the enclosures. Reply was also filed earlier by Shri Robert Lawrence Noronha on 03/09/2018 and on 18/09/2018.
12. Affidavit in rejoinder was filed by the complainant on 25/10/2018 to which the rejoinder came to be filed by Respondent no.2 on 5/11/2018.
13. When the matter was fixed for arguments the complainant appeared along with her Advocate and submitted that she does not desire to pursue with the present complaint and intends to withdraw the same as her grievances have been already redressed. Accordingly endorsement to that effect have been made by the complainant on the memo of complaint.
14. In view of the submission of the complainant and the endorsement made by her I find no reasons to proceed with the matter. Hence the same is disposed as withdrawn.

Proceedings 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