

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

Appeal No. 148/2019/SIC-I

Mr. Immanuel Yohan Samuel,
Fransico Plaza GF F1,
Chinchwada Chimbela Goa.

....Appellant

V/s

1) The Public Information Officer (PIO),
D.D.A. Electricity Department, Kuldeep Arolkar,
Vidyut Bhawan, Panajim-Goa.

2) First Appellate Authority (FAA),
Supt. Engineer(II), Electricity Department,
Vidyut Bhawan, Panajim-Goa.

.....Respondents

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

Filed on: 27/5/2019
Decided on: 21/8/2019

ORDER

1. The appellant, Shri Immanuel Yohan Samuel has filed present second appeal against Respondent No. 1 Public Information Officer (PIO) of Electricity Department, Vidhyut Bhawan, at Panjim-Goa and against Respondent No. 2 the First Appellate Authority (FAA) praying that the information as requested by him in his application dated 5/2/2019 be furnished to him correctly and completely free of cost and for invoking penal provisions against respondent no. 1 PIO .
2. The brief facts leading to present appeal are as under:-
 - a) The appellant vide his application dated 5/2/2019 had sought for certain information, on 3 points as listed therein in the said application pertaining to the examination held in respect of Jr. Engineer Electrical . The said information was sought from Respondent no.1 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 No. 1, PIO on 8/03/2019 in terms of subsection (1) of section 7 wherein the information was rejected in terms of section 8(1) (j) of RTI Act, 2005.
- c) It is contention of the appellant that he was not satisfied with the above reply of Respondent no. 1 PIO and as the information as was sought by him was not furnished, he filed first appeal in terms of sub section (1) of section 19 of RTI Act on 15/4/2019 before the Respondent No. 2 First appellate authority which was registered as appeal No. 8/2019-20.
- d) It is contention of the appellant that respondent No. 2 FAA vide order dated 17/05/2019 partly allowed his appeal and only the certified copy of the examination paper and answer sheet of the appellant herein were ordered to be provided.
- e) It is contention of the appellant that he being aggrieved by such an action of both the Respondents, has been forced to approach this Commission on 27/5/2019 in the second appeal as contemplated under sub-section (3) of section 19 of RTI Act, 2005.

3. 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 PIO, Respondent No. 1 for providing information as sought by him free of cost and for imposing penalty on Public Information Officer (PIO) for the delay in furnishing the information.
4. The matter was taken up on board and listed for hearing. In pursuance to notice of this commission appellant was present in person. Respondent No.1 PIO Shri Kuldip Arolkar was present and

Respondent No. 2 First appellate authority was represented by Dipika Sawaikar who placed on record reply of Respondent no. 2 FAA on 24/6/2019. The copy of the same was furnished to the appellant

5. The reply also came to be filed by Respondent no. 1 PIO on 12/7/2019. Copy of the same was furnished to the appellant.
6. During the hearing on 21/8/2019 the appellant submitted that he is not interested in pursuing the present appeal and desires to withdraw the same. Accordingly he endorsed his say on the reverse of the memo of appeal.
7. In view of the submission of the appellant and the endorsement made by him, I find no reasons to proceed with the appeal proceeding. Hence the appeal proceedings stands disposed 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