

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

Complaint No. 50/2019/SIC-I

Mr. Aslino FernandesComplainant
R/O H.No. 525, Boutewaddo,
Assagao, Bardez-Goa.
v/s

1.Public Information Officer (PIO),
Administrator of Comunidade,
Mapusa, Bardez-Goa. GoaRespondents

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

Filed on: 15/10/2019
Decided on:06/03/2020

ORDER

1. This order disposes the present complaint filed by Shri Aslino Fernandes u/s 18 read with section 20 of the RTI Act, 2005. The brief facts as put forth by the complainant are as under;
 - a) The Complainant by his application dated 25/4/2019 filed u/s 6(1) of the RTI Act, 2005 had sought for certain information/ documents from Respondent herein under 4 points as stated therein in the said application mainly pertaining to receipt of payments issued by the Comunidade of Village Assagao, Bardez-Goa to Smt. Irish Fernandes , affidavit sworn by Smt. Irish Fernandes to be produced before the Comunidade of Assagao to obtain Bank Loan and the letter of consent from Comunidade to apply Bank Loan issued to Bank Manager of SBI, Panaji –Goa.
 - b) It is the contention of the Complainant that the Respondent PIO even after the lapse of 30 days from filing of the said application, since failed to furnish him information as such deeming the same as rejection, he filed 1st appeal on 18/6/2019 u/s 19(1) of RTI, 2005 before the Additional

Collector-II North-Goa at Panajim being First appellate authority and the First Appellate Authority was pleased to allow the Appeal and vide order dated 30/8/2019 directed the Respondent PIO to furnish the required information to the Complainant within 15 days free of cost as per the original application dated 25/4/2019, from the date of the receipt of the order.

c) It is the contention of the Complainant that the Respondent PIO failed to comply with the order of the First Appellate Authority and no information came to be provided to him by Respondent PIO nor took any steps to provide the same.

2. In this background the Complainant has approached this Commission on 15/10/2019 by way of complaint filed against the Respondent with the contention that no information has been provided to him deliberately and intentionally despite of directions and order of the First Appellate Authority for furnishing him information within 15 days and has sought for directions for providing him information and for invoking Penal provisions for not obeying the order passed by the First Appellate Authority within time .
3. In pursuant to the notice of this commission, the complainant was present in person along with Advocate H. Ghate. Respondent then PIO Shri Vivek Naik and Shri Shrikant Mahalunkar were present. The present PIO Shri Kabir Shirgaonkar was represented by Shri Bharat Gaonkar .
4. Reply filed by then PIO Shri Shrikant Mahalunkar on 12/2/2020, by then PIO Shri Vivek Naik on 19/2/2020 and by present PIO Shri Kabir K. Shirgaonkar on 19/2/2020 alongwith enclosure. Copy of the same was furnished to the complainant herein.
5. During the hearing on 6/3/2020 the Advocate for the complainant submitted that the Complainant desires to withdraw the present

complaint and accordingly endorsement to that effect has been made by the complainant on the memo of Complaint.

6. In view of the submission of the complainant and the endorsement made by him, 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