

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

---

Complaint No. 51/2019/SIC-I

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

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

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

Filed on: 15/10/2019  
Decided on:21/01/2020

**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 from Respondent herein under 3 points therein pertaining to the file produced by Mr. Ricky fernandes for purchasing property in survey No. 211/3 of Village Asgao Bardez-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 1<sup>st</sup> appeal on 17/6/2019 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 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 neither provided any clarification with respect to application dated 25/4/2019.

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 S. Ajgaonkar. Respondent then PIO Shri Vivek Naik and Shri Shrikant Mahalunkar were present.
4. During the course of the hearing before this commission, it was submitted by then PIO Shri Vivek Naik that even before the order was passed by the first appellate authority, he had enclosed the letter dated 4/7/2019 addressed to the PIO by Attorney of Comunidade Assagao to his letter dated 5/7/2019 addressed to the complainant herein, wherein the Attorney of Comunidade had submitted that there are no records of the above mentioned subject of RTI application filed by the complainant herein.

5. The complainant then showed his willingness to withdraw the complaint filed against the Respondents herein and accordingly made endorsement to that effect 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