

GOA STATE INFORMATION COMMISSION
AT PANAJI

CORAM: Shri. M. S. Keny, State Chief Information Commissioner

Appeal No. 03/SCIC/2010

Shri Subhash B. S. Jetha,
R/o., D-5, Junta House,
Mapusa, Bardez-Goa

... Appellant

V/s.

The Public Information Officer/Assistant Public Information Officer,
Corporation of the City of Panaji,
Panaji-Goa

... Respondent

Appellant in person
Opponent absent.

ORDER
(10.06.2010)

1. The Appellant, Subhash B. S. Jetha, has preferred this appeal praying that Respondent be directed to furnish the information sought by him. Vide his application dated 01/09/2009 forthwith and that disciplinary action may be initiated against the Respondent under section 20 of Right to Information Act and maximum penalty be imposed.

2 The case of the Appellant in a nut shell is as under:-

That vide an application dated 01/09/2009 the Appellant had sought certain information under Right to Information Act 2005 ('RTI' Act for short). That the Respondent failed and neglected to furnish the information inspite of expiry of the time limit provided in the statute. That the Appellant preferred first Appeal before the Appellate Authority and after hearing the parties by order dated 23/12/2009 directed the Respondent to furnish the information within the period of 10 days from the date of order. That thereafter, Appellant approached the Respondent many time, however, no information was furnished. Being aggrieved, the Appellant preferred this appeal on the grounds as set out in the memo of appeal.

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3. It is the case of the Respondent that the information sought by the Appellant relates to 2007 to July 2009 and the concerned subject was dealt with the member of staff who has been transferred and the concerned information is not readily traceable.

4. It is seen from the records that by letter dated 15/04/2010 the information has been furnished to the Appellant.

5. Today the matter was posted for argument. However, the Appellant remained present and the Respondent was absent. The Appellant filed an application praying for leave to withdraw this appeal. It is the case of the Appellant that information has been furnished and the parties have solved the matter amicably and that the Appellant desires to withdraw the Appeal. It is seen from the record that information is furnished. The only issue remained was of delay. No doubt this aspect of delay is within the domain of the Commission. However, the Appellant has received the information and the main purpose of the Act is to furnish the information. This Commission on its own would not like to delve further in the matter, more so when the Appellant does not press the same.

6. In view of all the above, the request of the Appellant is to be granted. Hence, I pass the following Order:-

“The Appellant’s request is granted and he is permitted to withdraw the Appeal. The Appeal is disposed off as withdrawn.”

The Appeal is accordingly disposed off.

7. Pronounced in the Commission on this 10th June, 2010.

Sd/-

(M. S. Keny)

State Chief Information Commissioner

