

**GOA STATE INFORMATION COMMISSION**  
**AT PANAJI**

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

Appeal No. 192/SIC/2010

Dr. S. K. Pradhan,  
5/S-4, Shantaban Housing Complex,  
Merces, P.O. Santa Cruz,  
Goa

...

Appellant

V/s

1. Public Information Officer,  
Nirmala Institute of Education (NIE),  
Panaji – Goa

...

Respondent No.1.

2. First Appellate Authority,  
Principal,  
Nirmala Institute of Education (NIE),  
Panaji – Goa

...

Respondent No.2.

Appellant in person.

Adv. V. R. Parsekar for Respondent No. 1.

Respondent No. 2 absent.

**J U D G M E N T**  
**(21.01.2011)**

1. The Appellant, Dr. S. K. Pradhan, has filed the present Appeal praying that the Impugned Order be quashed; that Public Information Officer be directed to furnish the information and for imposing penalty.

2. The brief facts leading to the present appeal are as under:- That the Appellant, vide his application dated 27.07.2010, sought certain information under Right to Information Act, 2005 ('R.T.I. Act' for short) from the Respondent No. 1./Public Information Officer ('P.I.O.'). That by order dated 29.07.2010 the P.I.O. did not provide the correct information with respect to point No. 1, 2, 3, 4 and 5 and provided false information in respect to point No. 6. Being not satisfied the Appellant preferred the Appeal before the First Appellate Authority and by order dated 04.08.2010 the First Appellate Authority held that the information provided by the Public Information Officer is correct. Being aggrieved the

Appellant has preferred the present Appeal on various grounds as set out in the Memo of Appeal.

3. The case of the Respondent No. 1 is fully set out in the reply which is on record. In short, it is the case of the Respondent No. 1 that information sought by the Appellant cannot at all be termed as information under R.T.I. Act and the same is in the nature of queries, explanations, etc. The Respondent No. 1 also refers to letter dated 08.07.2010 addressed by Nirmala Institute of Education to Under Secretary and submits that the information is regarding the statements made in the said letter and the proof of law relating to said statements. That whatever has been sought by the Appellant under R.T.I. application cannot be granted as mentioned in paras 3, 4 and 5 of the reply. That the Respondent also refers to the writ petition.

4. Today the Appellant has filed an application stating about writ petition pending before the Hon'ble High court and that the issues raised in this Second Appeal are closely related with the issues raised in the said writ petition and, therefore, the Appellant seeks permission to withdraw this Appeal.

5. I have carefully gone through the records of the case and particularly the application as well as the reply furnished. In any case Appellant's request to withdraw this Appeal is to be granted and hence, I pass the following Order:

**ORDER**

The Appeal is disposed off as withdrawn.

The Appeal is accordingly disposed off.

Pronounced in the Commission on this 21<sup>st</sup> day of January, 2011.

Sd/-  
(M. S. Keny)  
State Chief Information Commissioner

