

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

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

Appeal No. 183/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 to quash and set aside the Impugned Order; to direct the Public Information Officer and the First Appellate Authority to explain the reasons for the use of 'we' and to impose penalty under section 20(1) on both the Public Information Officer and First Appellate Authority.

2. It is the case of the Appellant that vide application dated 14.07.2010 the Appellant sought certain information from the Respondent No. 1 under Right to Information Act, 2005 ('R.T.I. Act' for short). That the Public Information Officer vide his order dated 16.07.2010 provided incorrect and self-contradictory information in respect to point No. 3, 5 and 6 of his application. That the Appellant preferred First Appeal before First Appellate Authority and the First Appellate Authority provided certain information in respect of point No. 3, 5 and 6 of his application vide order dated 23.07.2010. However, the

said information is misleading and incomplete. Being aggrieved the Appellant has preferred the present Appeal.

3. The Respondents resist the Appeal and the reply is on record. In short, it is the case of the Respondent No. 1. that the information sought cannot at all be termed as information under R.T.I. Act and the same is in the nature of queries, explanations, etc. In para 3, 4 and 5 of the reply the Respondent No. 1 has specifically dealt with as to how the information sought does not come under R.T.I. Act. The Respondent also refers to the writ petition filed in the Hon'ble High Court.

4. Today, the Appellant has filed an application praying that he may be permitted to withdraw this Appeal. According to him the Government order was the main basis of his application and the said order dated 06.07.2010 is now challenged before the Hon'ble High Court. That the issues raised in the Second Appeal are closely related to the issues raised in the said writ petition and hence the Appellant prays that he may be permitted to withdraw this Appeal.

5. I have perused the records including the application seeking information as well as reply. The request of the Appellant is to be granted. 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

