

GOA STATE INFORMATION COMMISSION
AT PANAJI

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

Complaint No. 533/SCIC/2010

Shri Leslie Dias,
509 Murida- Cuncolim,
Salcete –Goa.

... Complainant

V/s
Public Information Officer,
Supdt. of Police (S),
Margao –Goa.

... Opponent.

Complainant present.

Opponent absent. Adv. s. D. Sapeco for the Opponent.

O R D E R

08/02/2011

1. The Complainant, Shri Leslie Dias, has filed the present complaint praying that an inquiry be conducted under section 18 (2) of the Right to Information Act as mentioned in the said complaint.

2. The brief facts leading to the present Complaint are as under:-

That the complainant, vide letter dated 17/08/2010 sought certain information under Right to Information Act 2005 ('RTI' Act for short) from the Opponent/Public Information Officer(PIO). That the Opponent by reply dated 28/08/2010 informed the complainant that the record in respect of the same has been destroyed on 26/02/2010. That the records of Curcolim Police station are destroyed by virtue of Police Headquarters 1968 Circular dated 05/01/1968 i.e. a 42 years old circular. That is bad precedent, as records of the 2007 are destroyed across the board at one stroke and some of them are subjudice and hence the present complaint.

3. The Opponent resists the complaint and the reply is on record. It is the case of the opponent that complainant vide his letter dated 17/08/2010 has requested for certified copy of the station diary for specific period dated 27/06/2001. That vide letter dated 28/08/2010 the complainant was informed that the records pertaining to the information sought by the complainant was destroyed by year dated

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17/09/2009 and that the said letter was issued in pursuance to the circular dated 05/01/1968. That the records were destroyed after obtaining the written permission as well as approval. It is the case of the Opponent that the information sought by the complainant being the station diary 27/06/2001 has been destroyed after compliance of the necessary procedure stipulated in the said circular dated 5/01/1968. It is also the case of the opponent. That the relief prayed is beyond the scope and ambit of the Commission. That the said relief cannot be granted and that the grievance in the circular cannot be agitated before this Commission .According to the opponent the complaint is liable to be dismissed.

4. Rejoinder to reply of the Respondent is also on record.

5. Heard both sides. To-day the complainant stated that he wants to withdraw the Complaint.

It is seen that the main grievance of the complainant is that he has not been given correct information. However, it is a fact that records were destroyed and the present officer is a new incumbent and he stated so. Under the RTI Act available information is to be furnished.

6. Since the complainant wants to withdraw the complaint, in view his request is to be granted.

Hence I pass the following order:-

ORDER

No intervention of this Commission is required the complaint is disposed off as withdrawn.

The complaint is accordingly disposed off.

Pronounced in the Commission on this 8th day of February, 2011.

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

