

GOA STATE INFORMATION COMMISSION

AT PANAJI

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

Complaint 499/SIC/2010

Mr. C. S. Barreto,
H. No. 206, Mazalvaddo,
Assagao,
Bardez – Goa

...Complainant

V/s

Public Information Officer,
Town and Country Planning Department (HQ),
2nd Floor, Dempo Towers,
Panaji – Goa

... Opponent

Complainant present.

Opponent present.

ORDER
(27/07/2011)

1. The Complainant, Shri C. S. Barreto, has filed the present Complaint praying that the Public Information Officer/Opponent be directed to furnish all the information sought by the Complainant vide his application dated 19.07.2010 and that Public Information Officer be penalized under section 20 of the Right to Information Act.

2. It is the case of the Complainant that on 21.04.2010 he filed an application seeking certain information under Right to Information Act, 2005 ('R.T.I. Act' for short) from the Public Information Officer (PIO)/Opponent. By letter dated 04.05.2010 the PIO informed that the information sought for by the Complainant cannot be made available as the concerned file is not traceable. That the Complainant by letter dated 19.07.2010 sought further information regarding the said file. That the RTI Act mandates all Public Authorities to maintain proper records systematically so that whenever the information is sought it can be provided promptly. That the Opponent was directed to provide the information sought by the Complainant covering all aspects such as searching the file, taking proper action in the case if the file is still missing and order inquiry if necessary. That despite all the above directives PIO has failed to comply the

same. That PIO also informed that information in respect of point No. 2 to 5 is nil. Since information was not furnished, Complaint was filed.

3. The reply of the Opponent is on record. The Opponent admits of having received the application dated 21.04.2010 and also 19.07.2010. That the reply was furnished by letter dated 04.05.2010 and 03.08.2010 and it was also mentioned about particulars of First Appellate Authority. That the Complainant inspite of going into appeal under section 19(1) of the Act, has preferred the present Complaint. It is the case of the Opponent that the Act requires the supply of such information which exist on record or is held by the Public Authority in record under the control of Public Authority.

4. During the course of arguments the Complainant states that he wants to withdraw the Complaint. When asked specifically, he confirms that he has no grievance of any sort and that he wants to withdraw the Complaint.

5. Since the Complainant wants to withdraw the Complaint, his request is to be granted. Hence, I pass the following Order:

ORDER

The request of the Complainant to withdraw the Complaint is granted.

The Complaint is disposed off as withdrawn.

The Complaint is accordingly disposed off.

Pronounced in the Commission on this 27th day of July, 2011.

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

