

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

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

Appeal No.38/SCIC/2012

Shri Raghuvir Sinai Hede,
R/o.H.No.212, Gogol,
Margao-Salcete, Goa

... Appellant.

V/s.

1. The S.P.I.O. Asst. Executive Engineer,
O/o. the Executive Engineer,
Electricity Department,
Div.XVI, Aquem, Margao,
Salcete - Goa
2. The First Appellate Authority,
Assistant Executive Engineer,
O/o. the Electricity Department,
Sub Div – I, Div.IV,
Aquem, Margao – Goa

... Respondents

Appellant present.
Respondent No.1 present
Respondent No.2 absent.
Adv. A. Naik for appellant present.

J U D G M E N T
(25/07/2012)

1. The Appellant, Shri Raghuvir Sinai Hede, has filed the present appeal praying that the respondent be directed to furnish the information as sought by him vide his application dated 16/9/2011 within 7 days and that fine be imposed on respondent as prescribed under Right to Information Act.

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

That the appellant, vide application dated 28/6/2011, had brought to the notice of Electricity Department that one Jose

Antonio Gaonkar R/o.Arlem, Raia, Salcete had obtained electricity connection to his fabrication unit by fraudulent means. That it was therefore the Electricity Department was requested to take immediate action in respect of the said connection released to the aforesaid person. That vide another application dated 9/8/2011, the appellant sought information from the respondent to state on what basis the aforesaid connection was released to the said unit. That vide reply dated 23/8/2011 the respondent informed the appellant that Shri Jose Antonio Gaonkar has availed a three phase L.T.P. service in the name of Gaonkar Automobiles bearing consumer No.18A/132/300N/1756 for a load 15HP. Vide an application dated 16/9/2011 the appellant had sought certain information from the respondent as on what basis the department has released the aforesaid connection. That the S.P.I.O. vide his letter dated 4/11/2011 informed the appellant that the details of three phase L.T.P. service connection availed by Jose Antonio Gaonkar. It was also informed that the service connection case papers of the above mentioned consumer was not available in the office records. Being aggrieved the appellant preferred an appeal before Superintendent Engineer i.e. First Appellate Authority(F.A.A). By order dated 2/1/2012, the F.A.A. has directed the respondent to furnish the information to the appellant after searching the same from his office. That by letter dated 6/1/2012 the respondent has informed the appellant that papers concerning release of the electricity connection to the fabrication unit of Jose Antonio Gaonkar are not available in the office records and hence a question of denial of information does not arise at all. That it was also informed that service connection was released more than 20 years ago and A.S.P.I.O was not responsible in the matter in any manner. That having found that respondent have no intention to furnish the information, the appellant has preferred present appeal on various grounds as set out in the memo of appeal.

3. The reply of respondent No.1 and 2 are on record.

In short it is the case of respondent No.1 that respondent No.1 has no information of the matter as sought by the appellant under him. The respondent No.1 also refers to the first appeal and submits that even after the order of F.A.A. the documents were searched. However they were not traceable in the office and the electrical connection in question was released before 20 years.

4. The matter was fixed to-day on 25/7/2012. Adv. Shri A. Naik for the appellant has filed an application stating that he wants to withdraw the appeal. He prays that he may be allowed to withdraw the present appeal.

The P.I.O. on his part also submits that papers sought were not available in his office inspite of the repeated search.

5. Since the appellant wants to withdraw the appeal, his request is to be granted. The appellant is permitted to withdraw the appeal. Hence I pass the following order :-

ORDER

No intervention of this Commission is required. The appeal is disposed off as withdrawn.

The appeal is, accordingly, disposed off.

Pronounced in the Commission on this 25th day of July, 2012.

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