

GOA STATE INFORMATION COMMISSION AT PANAJI

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

Complaint No. 95/SCIC/2009

Ramesh T. Naik,
1608/2, Grand Chivar,
Anjuna, Bardez – Goa.

..... Complainant.

V/s.

1. Public Information Officer,
Dy. Director of Education (ACAD),
Directorate of Education, Govt. of Goa,
Panaji - Goa.
2. First Appellate Authority,
Director of Education,
Directorate of Education, Govt. of Goa,
Panaji - Goa.

..... Opponents.

Complainant in person.

Adv. Shri Nicholas Dias for Opponent No. 1.

Shri Avinash V. Nasnodkar, AEO(Legal) on behalf of Opponent No. 2.

ORDER **(12-01-2010)**

1. This is a Complaint filed by the Complainant, Ramesh T. Naik, praying for penalty, initiating departmental inquiry and also for furnishing the information sought by him.

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

By application dated 29/06/2009 the Complainant/Applicant sought some information under Right to Information Act, 2005 ('RTI' Act for short). That the Dy. Director of Education (ACAD) by reply dated 22/07/2009 informed the Complainant that the information sought does not come under the ambit of RTI Act. Being not satisfied the Complainant preferred the appeal before First Appellate Authority ('F.A.A.' for short). However, by letter dated 17/08/2009 the F.A.A. returned the appeal as

...2/-

letter dated 29/06/2009 addressed to the Dy. Director of Education (ACAD)/Public Information Officer has not been placed on record.

Being aggrieved, the Complainant filed the present Complaint.

3. Opponents were duly served. Shri Avinash Nasnodkar, Asst. Education Officer appeared on behalf of Opponent No. 2. Shri N. Dias filed his appearance on behalf of Opponent No. 1.

4. During the course of hearing Shri Avinash Nasnodkar stated that the appeal was not decided by F.A.A. as Complainant did not produce letter dated 29/06/2009 and that if the Complainant gives the letter his appeal would be considered. At this stage Complainant states that he is interested in the information and he is prepared to go before the F.A.A. The Complainant states that in view of this position he may be permitted to withdraw the Complaint.

5. In view of this position, the Complainant will have to produce the same in a day or two and the F.A.A. to decide the appeal as suggested by them having regard to the time period as per the RTI Act, 2005.

6. In view of the above, request of the Complainant to withdraw the Complaint is to be granted and is hereby granted.

The Complaint is disposed off as withdrawn.

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

