

# GOA STATE INFORMATION COMMISSION

‘Kamat Towers’, Seventh Floor, Patto, Panaji – Goa

**CORAM: Shri Prashant S. P. Tendolkar**  
**State Chief Information Commissioners**  
**Smt. Pratima K. Vernekar,**  
**State Information Commissioner**

**Appeal No. 29/SIC/2010**

Smt. Fakirwa Odra,  
Hosnur Camp, Zaurinagar,  
Sancoale –Goa.

..... Appellant

V/s

- 1) The PIO/The Suptd. Of Police (Crime),  
Dona Paula, Goa.
- 2) FAA/The Inspector General of Police,  
Police Headquarters,  
Panaji-Goa.

..... Respondents.

**Filed on : 01/02/2010**  
**Disposed on: 19/10/2016**

## **1) FACTS:**

- a) By application, dated 28/11/2009, appellant sought certain information from the opponent No.1 under section 6(1) of the Right to information (Act).
- b) Said request was rejected by the PIO by his reply dated 16/12/2009, on the ground that the same is exempted under section 8 (1) (g) and (h) of the Act as the said records are submitted to JMFC Court Vasco for grant of B summary.
- c) Aggrieved by the said order the appellant preferred 1<sup>st</sup> appeal on 29/12/2009 which was disposed on 15/01/2010, interalia concurring with the findings of the PIO.

The appellant has come in second appeal before this Commissions on the ground that there is deliberate denial of information as also malafide denial of inspection on false grounds.

- d) Notices were issued to the parties. Initially the appellant was represented by authorized representative but subsequently inspite of fresh notice by this Commission, the appellant failed to appear. Inspite of granting opportunities to the appellant no submissions were advanced.

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e) Adv. H. Naik appearing for the respondents on 03/05/2016 submitted that the information as sought can be furnished now. She was directed to furnish the same to the appellant and produce the acknowledgement before this Commission. Accordingly, on 23/08/2016 the Adv. For the Respondents filed an application before this Commission alongwith the letter, dated 19/08/2016 from SDPO Vasco to DYSP Crime Branch, Ribandar. In spite of giving opportunity to the appellant to file her say no reply is filed. From the conduct of appellant it appears that the appellant is not interested in appearing and hence the matter is taken on merits.

**2) FINDINGS:**

- a) On going through the application of the appellant, dated 28/11/2009 she has sought for inspection of the inquiry files alongwith case dairy pertaining to crime No.327/2007. The Advocate for the respondent, on 3/05/2016 submitted that the information is still available with them the same can be furnished to the appellant by Registered A/D.
- b) On 23/08/2016 a memo is filed narrating certain facts by attaching copy of letter, dated 19/08/2016. The said letter is not the information as sought by the appellant by her letter, dated 28/11/2009 and what was sought is the inspection of files alongwith case dairy of CR No.327/2007. Thus we find the information as sought for and as undertaken by Advocate on behalf of PIO on 3/5/16 is not complied with.
- c) In the circumstances, we direct the respondent PIO to furnish to the appellant the inspection of files and the case diary pertaining to crime No.327/2007, by notifying the appellant by Registered post A/D within 30 days from the date of this.

Parties to be notified accordingly.

Proceeding closed.

Pronounced in the open proceedings.

Sd/-  
**(Prashant S. P. Tendolkar)**  
State Chief Information Commissioner  
Goa State Information Commission  
Panaji-Goa

Sd/-  
**(Pratima K. Vernekar)**  
State Information Commissioner  
Goa State Information Commission  
Panaji-Goa

