

**GOA STATE INFORMATION COMMISSION**

Kamat Tower, Seventh Floor, Patto Panaji-Goa

**CORAM: Smt. Pratima K. Vernekar,  
State Information Commissioner.**

Appeal 167/2016

Bharat L. Kandolkar,  
Vady, Candolim,  
Bardez-Goa.

....Appellant

V/s.

1. The Public Information Officer,  
Sub-Divisional Police Officer,  
Porvorim Goa.

2. The First appellate Authority,  
Superintendent of Police(North),  
Pororim Goa.

...Respondents

**Appeal filed on: 1/09/2016  
Decided on: 24/05/2017**

**ORDER**

1. The Appellant Shri Bharat Kandolkar herein filed his application dated 15/06/2016 u/s 6(1) of Right To Information Act, 2005 seeking certain information from Respondent No. 1 Public Information Officer (PIO), Deputy Superintendent of Police, Porvorim, Bardez Goa on 2 points as stated therein in the said application and also sought for inspection of respective documents, Register, files etc.
2. The same was responded by the Respondent No. 1 PIO on 29/06/16 thereby furnishing information to the appellant on two points.
3. Being not satisfied with the reply of the Respondent PIO dated 29/06/16, appellant preferred 1<sup>st</sup> appeal before the O/o Superintendent of Police, North-Goa who is Respondent No. 2 herein on 21/07/16, which was finally disposed by an order,

dated 5/08/16. By the said order the Respondent No. 2 First Appellate Authority (FAA) directed the APIO /PI of Calangute Police Station to verify the records whether the copy of stop work order was received at Police Station and what action was taken by Calangute Police Station and then to provide the action taken report including inspection to the appellant free of cost within the week.

4. In pursuant to the said order the Respondent provided the information to the appellant vide letter dated 24/08/16 interalia submitting that stop work order dated 25/06/13 was not received by them. However the inspection of the records were offered to the appellant by the PIO
5. Being aggrieved and not satisfied with the reply of the Respondent No. 1 PIO and contending that the Respondent PIO have not complied with the orders of the FAA within time, the appellant has approached this Commission in his second appeal seeking relief of direction to PIO to furnish information and for inspection of records as also seeking penalty.
6. In pursuant to the notice the appellant was present in person alongwith Advocate Atish Mandrekar. Respondent No. 1, PIO was represented by Police Inspector, Videsh Pilgaonkar. Respondent No. 2 represented by Manguesh Mahale. Reply filed by Respondent No. 1 PIO on 10/03/17 resisting the appeal.
7. During the course of the hearing the Advocate for the appellant submitted that information at point No. 1 and 2 is furnished to him however according to him the inspection of the document, files have not been allowed. The Representative of PIO Shri Videsh Pilgaonkar volunteered to provide him inspection and as such Commission directed to fix date mutually as per the convenience of both the party and to carry out the inspection of relevant files and to file compliance report. The Advocate for the Appellant submitted that if the inspection of the documents is given to appellant he will not press for penal provision and endorsement to that effect has been made by him on the memo of appeal.

8. On subsequent date of hearing on 2/05/2017 compliance report was filed by the police inspector of Calangute police station of having carried out the inspection of the Register of the year 2013 on 27/4/17 at 16.00 hrs by appellant Shri Bharat L. Kandolkar. The Advocate for the appellant also confirms of having inspected the register of 2013 and duly identified file/ the documents required by him. He further submits that since the inspection of the Register of the year 2014 and the letter dated 5/05/14 addressed by the Police Inspector of Calangute Police station to deputy collector Mapusa and letter dated 8/05/2014 and letter dated 21/05/2014 have not been provided to him he claims that the inspection is incomplete. He further contended that he had made letter to PIO/APIO on 27/04/17 bringing said fact to their notice.
9. The PIO Shri Jivba Dalvi during the course of hearing furnished him copy of above three letters duly certified by Police Inspector (PI), Calangute.
10. Since the appellant has come up with grievance that inspection is incomplete and certain documents are not furnished to him duly certified by PIO. In the interest of justice, following order is passed:-

### **ORDER**

I hereby direct Respondent No. 1 PIO to allow the appellant to carry out inspections of documents, files registers of year 2014 pertaining to the incidence of 4/05/2014 and also to furnish the copies of letters dated 2/05/2014 , 5/05/2014 and 8/5/2014 duly certified by PIO within 10 days from the date of receipt of the order.

Pronounced in open proceedings. Proceedings stands closed.

Notify the parties.

Authenticated copies of the Order should be given to the parties free of cost.

Aggrieved party if any may move against this order by way of a Writ Petition as no further Appeal is provided against this order under the Right to Information Act 2005.

Pronounced in the open court.

Sd/-

**(Ms. Pratima K. Vernekar)**  
State Information Commissioner  
Goa State Information Commission,  
Panaji-Goa