GOA STATE INFORMATION COMMISSION

Kamat Tower, Seventh Floor, Patto Panaji-Goa

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

Appeal No. 110/2016

Advocate J. M. D'Silva,
402,Ashoka Complex,
Justice Ranade Road,
Near Post Office, Dadar(West),
Mumbai,400028   …..Appellant

V/s.

1. Sub-Divisional Police Officer,
   Public Information Officer,
   Mapusa Goa.

2. The First Appellate Authority,
   Superintendent of Police,
   North Goa District,
   Porvorim Goa.

……Respondents

Appeal filed on: 30/05/2016
Decided on: 8/03/2017

O R D E R

1. By an application dated 17/12/2015 filed under section 6 (1) of Right to Information Act (RTI Act), the appellant Advocate J. M. D'Silva sought certain information from Inspector of Police, Pernem Police Station, Pernem-Goa.

2. The said application alongwith the reply of Inspector of Pernem Police Station was submitted to the Office of Respondent No. 1 Public Information Officer (PIO) herein on 11/01/2016 for onward submission to the Appellant.

3. The Respondent No. 1 PIO vide his letter dated 12/01/2016 responded his application and provided him the information

which was furnished to him by Assistant Public Information Officer (APIO), Shri Devendra Gad Pernem, Police Station.

4. Being not satisfied with the information, the Appellant preferred first appeal under section 19(1) before the Superintendent of Police, North Goa, Porvorim-Goa being FAA on 25/01/2016 and the Respondent No. 2 FAA by the Order dated 23/02/2016 dismissed his appeal by upholding the say of the Respondent No. 1 PIO.

5. Being aggrieved by the action of both the Respondents present appeal came to be filed before this Commission under section 19(3) of the Right to Information Act, 2005 on 6/04/2016.

6. Matter was listed on board and was taken up for hearing the Appellant remained absent. Respondent No. 1 was represented by Shri Mahendra Gawas who filed reply on 27/01/2017 on behalf of Respondent No. 1 PIO. Copy of the reply could not be furnished to the Appellant inview of his continuous absence.

7. After filing the reply as both the parties remained absent, this Commission had no other option then to decide the matter based on the records.

8. The reply of PIO reveals that no any undertaken was given by Shri Ulhas Morjee at the time of inquiry in respect of the Complaint dated 14/11/2015 filed with before the Inspector of Police Pernem Police Station by the Appellant. The reply further revels that copy of inquiry report was furnished to the appellant. As such I hold that the information at point No. 1 of the application have been duly answered by the PIO.

9. With regards to point No. C i.e. action taken report it is submitted that Shri Ulhas Morjee against whom the Complaint was lodged by appellant has expired on 30/09/2016 copy of the death certificate was also enclosed to the reply.

10. The initial reply under section 7(1) all queries has also been answered by Respondent PIO.

11. On account of continuous absence of appellant no version on behalf of Appellant could be heard. From the conduct of the

Appellant, it appears that he has no interest in seeking the information now and has no say against the version of the PIO.

12. In the above given circumstances I hold that the information is duly furnished and the appellant is now not interested in pursuing this Appeal. However the appellant if so desired may collect the copies of the reply dated 27/01/20017 filed by the Respondent No. 1 PIO before this Commission alongwith the annexures within month from the date of receipt of this order.
   Appeal is disposed accordingly.

   Proceeding stands closed

   Order to be communicated to the parties.

   Pronounced in open proceedings.
   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.

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