

# GOA STATE INFORMATION COMMISSION

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**Shri. Sanjay N. Dhavalikar**, State Information Commissioner

## **Appeal No. 42/2021/SIC**

Shri Jawaharlal T. Shetye,  
H.No. 35/A, Ward No. 11, Khorlim,  
Mapusa-Goa, 403507

..... Appellant

**v/s**

1. The Public Information Officer,  
The Sub-Divisional Police Officer (SDPO),  
Mapusa Police Station,  
Mapusa-Goa, 403507

2. The First Appellate Authority,  
Supintendent of Police (North),  
Porvorim Police Head Quarters,  
Alto Porvorim-Goa, 403507

..... Respondents

Filed on : 18/02/2021

Decided on : 13/01/2022

### **Relevant dates emerging from appeal:**

RTI application filed on	: 29/09/2020
PIO replied on	: 16/10/2020
First appeal filed on	: 27/10/2020
FAA order passed on	: 15/12/2020
Second appeal received on	: 18/02/2021

## **ORDER**

1. The brief facts of this appeal are that the appellant vide application dated 29/09/2020 filed under section 6(1) of the Right to Information Act, 2005 (for short, the Act) sought information on 11 points from Respondent No. 1 Public Information Officer (PIO). The PIO vide reply dated 16/10/2020 furnished the information, however not satisfied with the reply, the appellant filed appeal dated 27/10/2020 before the Respondent No. 2 First Appellate Authority (FAA). The FAA vide order dated 15/12/2020 upheld the say of PIO

and dismissed the appeal. Aggrieved over FAA's order, the appellant filed second appeal before the Commission.

2. The appeal was registered on 18/02/2021 and the parties were notified. Shri. G. V. Prabhudesai, SDPO, Mapusa/PIO appeared in person and subsequently deputed his authorised representative for further hearing. The PIO filed reply dated 06/05/2021. The appellant, after filing the appeal chose to remain absent for a long time and thereafter appeared and collected copy of PIO's reply but registered no say before the Commission.
3. The PIO stated that the correct and complete information sought by the appellant on point no. 1,2,5,6,7,8,9 and 11 has been provided to him, as per the information available in the records of Mapusa Police Station. The said information was furnished within the stipulated period, without causing any delay. A detail say was submitted before the FAA during the hearing on first appeal and the FAA upheld the say of PIO and dismissed the appeal.
4. It is noted from the records that the appellant has sought information on 11 points and the PIO vide reply dated 16/10/2020 furnished the information on point No. 1, 2, 4, 5,6,7,8 and 11, whereas the PIO has stated that information on point No. 3 is Nil. It is also noted that the PIO has stated that information sought at point No. 9 does not come under the purview of section 2(f) of the Act, and the Commission endorses this stand. Regarding point No. 10, the appellant had requested for inspection of the records and the PIO readily allowed inspection on 20/10/2020 at 11.00 hrs.

5. Therefore it is observed that the PIO has acted within the provisions of the Act by furnishing the available information in his office. The PIO also provided for inspection of relevant records in his office. For all that, the appellant inspite of opportunities given to him to argue, remained absent, for most of the hearings and finally appeared on couple of occasions but raised no grievance. Therefore, the Commission concludes that the application has been replied as per the provisions of the Act.
  
6. In the light of above discussion and based on the findings, the appeal is dismissed and the proceeding stands closed.

Proceedings stands closed.

Pronounced in the open court.

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/-

**(Sanjay N. Dhavalikar)**

State Information Commissioner  
Goa State Information Commission,  
Panaji-Goa

KK/-