

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

Tel: 0832 2437208, 2437908 E-mail: spio-gsic.goa@nic.in Website: www.gsic.goa.gov.in

Shri. Sanjay N. Dhavalikar, State Information Commissioner

Appeal No. 04/2022/SIC

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

..... Appellant

v/s

1. The Public Information Officer (PIO),
Office of the Sub-Divisional Police
Officer, Mapusa Police Station,
Mapusa-Goa 403507

2. The First Appellate Authority (FAA),
The Superintendent of Police (North),
Porvorim, Bardez-Goa

..... Respondents

Filed on: 03/01/2022
Decided on: 27/05/2022

Relevant dates emerging from appeal:

RTI application filed on	: 28/08/2021
PIO replied on	: 17/09/2021
First appeal filed on	: 06/10/2021
FAA order passed on	: 09/11/2021
Second appeal received on	: 03/01/2022

ORDER

1. The brief facts of this appeal are that the appellant vide application dated 28/08/2021 sought certain information from Respondent No. 1 Public Information Officer (PIO). Not satisfied with the information furnished, appellant filed appeal dated 06/10/2021 before Respondent No. 2 First Appellate Authority. (FAA). FAA vide order dated 09/11/2022 disposed the appeal, however being aggrieved by the said order, the appellant preferred second appeal against both the respondents.
2. Pursuant to the notice, appellant appeared and pressed for the complete information. PIO was represented by his authorised representative Shri. Somnath L. Mahajik, who filed reply dated 01/03/2022 on behalf of the PIO. Later, submission dated 20/04/2022 was received in the Registry from the PIO.

3. PIO stated that the appellant was furnished the available information vide letter dated 17/09/2021, which is within the stipulated period. Appellant was not satisfied and he filed first appeal. Later, as per the directions of the FAA the remaining information has been furnished to the appellant. Correct and complete information as available in the records of the concerned police station of Colvale has been furnished.
4. Appellant stated that he has received the information from the PIO except information under point No. 5 of his application. Therefore his grievance is only on the point that information on point No. 5 has to be furnished.
5. On perusal of the records, it is seen that the PIO had undertaken to obtain the information pertaining to point no. 5 from Colvale Police Station and furnish the same to the appellant. Subsequently Shri Uday N. Porab, PIO vide submission received in the Registry on 20/04/2022 stated that the said information, has been obtained from Police Inspector of Colvale Police Station and the same is enclosed. However, appellant pointed out that the enclosures are missing.
6. Hence the Commission concludes that the PIO has furnished the information sought by the appellant except information requested under point No. 5 of his application, which PIO is required to furnish. Though part information is furnished after the stipulated period, it is noted that the PIO at no point denied the information and has made conclusive efforts to obtain the information and furnish the same to the appellant.
7. In the light of above discussion, the appeal is disposed with the following order:-
 - a) PIO is directed to furnish information sought by the appellant under point No. A 5 of his application dated 28/08/2021, within 20 days from the receipt of this order, free of cost.
 - b) All other prayers are rejected.

Proceeding 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