

GOA STATE INFORMATION COMMISSION

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Appeal No. 97/2024/SCIC

Shri. Dayanand Chodankar,
H.No.217/1, Xelpem,
Duler, Mapusa-Goa 403507

-----Appellant

V/s

The Public Information Officer,
Sub-Divisional Police Officer,
Mapusa-Goa 403507

----Respondent

Shri. ARAVIND KUMAR H. NAIR - State Chief Information Commissioner, GSIC

Relevant Facts Emerging from the Appeal

RTI application filed on	- 14-10-2023
PIO replied on	- 02-11-2023
First Appeal filed on	- 05-12-2023
First Appellate order on	- 23-01-2024
Second appeal received on	- 24-04-2024
Decision of the Second Appeal on	- 07-05-2025

Information sought and background of the Appeal

- Shri. Dayanand Chodankar filed an application dated 14/10/2023 under RTI Act, 2005 to the PIO/Sub-Divisional Police Officer, Mapusa seeking following information :
 - "Certified copy of complaint filed by complainant Mr. Saiesh Suresh Chodankar, r/o. Xelpem, Duler, Mapusa against Mr. Dayanand Chodankar on 11/10/2023.*
 - Certified copy of NC offence registered against Mr. Dayanand Chodankar.*
 - Certified copy of CCTV footage recording of the reporting hall/room and entrance of the Mapusa Police Station between 4.15 p.m. and 8.00 p.m. dated 11/10/2023.*
 - Certified copy of the Medical Report of the Complainant Saiesh Chodankar conducted by Government Doctor on request of Mapusa Police Station on 11/10/2023.*
 - State the name of the Police Officer who had conducted inquiry on the complaint of Saiesh Chodankar against."*

2. In response to the RTI application, PIO/Sub-Divisional Police Officer, Mapusa, Shri. Jivba G. Dalvi vide letter dated 02/11/2023 replied as under:

Question No.	Reply
i.	Copy of NC complaint vide No.867/2023 dated 11/10/2023 is enclosed.
ii.	As per the reply given at Point No. 1 above.
iii.	As per PI, Mapusa Police Station, information called for could not be provided u/s 8(1) (g) and 8(1) (h) of RTI Act, 2005.
iv.	Copy of Medical Hurt certificate Saiesh Chodankar issued by District Hospital dated 11/10/2023 is enclosed
v.	H.C-5363 Shri. Abhijit Mangaonkar.

3. Being aggrieved by the denial of information sought at Point No.3 in the RTI application by the PIO u/s 8(1) (g) and 8(1) (h) of RTI Act, 2005, Appellant filed first appeal dated 05/12/2023 before the First Appellate Authority.

Appellant stated in his first appeal that the information sought at Point No.3 is with regard to the illegal detention of the Appellant at the Mapusa Police Station and the PIO is purposely denying the information to the Appellant.

4. The First Appellate Authority(S.P North Goa) in his Judgement stated as under:

"In this regards, PSI of Mapusa Police Station stated that information sought by the Appellant is rejected u/s 8(1) (g) & (h) of RTI Act, 2005, as CCTV camera installed at the Police Station is also capturing the other movement occurred at Mapusa Police Station including the investigation work of Crimes registered at Mapusa Police Station. As such, providing CCTV footage will impede the further investigation process of the under investigation cases. There are every chance that said CCTV footage may get viral to the general public thereby disclosing the identity of the minors and women present at Mapusa Police Station, who came to the Police Station in connection with their grievances/complaints."

5. Pointing out the above cited observations, FAA vide order dated 23/01/2024 upheld the decision of the PIO and dismissed the first appeal filed by the Appellant.

6. Aggrieved by the order passed by the FAA, Appellant preferred Second appeal dated 24/04/2024 before the Commission stating that the Respondents have deliberately refused to furnish the information sought at Point No.3 in the RTI application. Appellant prayed before the Commission that the Respondent PIO be directed to furnish information, initiate disciplinary action against the Respondent PIO and to compensate the Appellant.

Facts Emerging in course of Hearing

7. Pursuant to the filing of Second appeal before the Commission by the Appellant, parties were notified fixing the matter for hearing on 16/01/2025 for which PIO's authorised person Shri. Yeshwant Mandrekar, PSI, Mapusa appeared in person but none present for Appellant.
8. Respondent PIO's authorised person filed written submission dated 16/01/2025 of the Respondent PIO (SDPO Shri. Sandesh T. Chodankar). In the written submission, Respondent PIO stated that correct and complete information has been furnished to the Appellant within the stipulated time, as specified under RTI Act, 2005. But the information sought at Point No.3(footage of CCTV camera installed at reporting hall/room and entrance of the Mapusa Police Station) on 11/10/2023 was denied u/s 8(1) (g) and 8(1) (h) of the RTI Act, 2005 on the ground that there is every chance that the said CCTV footage may get viral to the general public thereby disclosing the identity of the minors and women present at Mapusa Police Station who came to the Police Station in connection with their grievances/complaints.
9. None of the parties to the present appeal or their authorised representatives turned up for the hearing held on 04/02/2025.
10. Respondent PIO's authorised person Shri. Aditya Gad, PSI, Mapusa appeared for the hearing on 06/03/2025 but none present for the Appellant. Matter adjourned to 10/04/2025 for which none of the parties nor their representatives appeared.

11. When the matter took up for further hearing on 07/05/2025, Respondent PIO's authorised person, Shri Yashwant Mandrekar, PSI, Mapusa Police Station, appeared and filed a copy of an earlier submission dated 15/01/2025 containing details of information provided to the Appellant within the stipulated time frame specified in the RTI Act and the reasons cited for the denial of CCTV footage u/s 8(1) (j) and 8(1) (h) of the Act.

Commission's Observation

- i. Respondent PIO has finished correct and complete information to the Appellant supported by documents for all points except Point No.3 within the stipulated 30 days' time limit.
- ii. Adequate reason has been provided to the denial of information sought at Point No.3 in the RTI application.
- iii. Neither Appellant nor his authorised person appeared for any of the hearing held before the Commission in the present appeal filed by the Appellant or placed submission/argument to substantiate his appeal and prayer.

DECISION

In the light of submission made by the Respondent PIO and the above observations, Commission is of the view that there is no malafide denial of information on the part of the Respondent PIO and hence no intervention by the Commission is warranted in the present Appeal No.97/2024/SCIC. Moreover, Appellant/Representative remained absent from all five hearings held in the Appeal.

Appeal disposed off without any direction to either parties in the Appeal.

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.

- Proceeding stands closed.
- Pronounced in open Court.

Notify the parties.

Sd/-

(ARAVINDKUMAR H. NAIR)
State Chief Information Commissioner, GSIC

