

## **GOA STATE INFORMATION COMMISSION**

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

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### **Appeal No. 323/2024/SCIC**

Mrs. Anita A. Kalangutkar,  
R/o. H. No. 555/6,  
Sonarkhed, Assagao,  
Bardez Goa .

..... Appellant

v/s

1. The Public Information Officer,  
SDPO, Mapusa,  
Bardez Goa.

2. Shri Deepak Halarnkar,  
ASI (I.O) Anjuna Police Station,  
Anjuna, Bardez Goa.

3. Shri Suraj Gauns,  
Police Inspector,  
Anjuna Police Station,  
Anjuna, Bardez Goa.

..... Respondents

**Shri Aravind Kumar H. Nair - State Chief Information Commissioner**

### **Relevant facts emerging from the Appeal**

RTI application filed on	- 23-03-2023
PIO replied on	- 02-05-2023
First Appeal filed on	- 23-05-2023
First Appellate order on	- 23-06-2023
Second appeal received on	- 11-09-2023
Decision of the Second Appeal on	- 17-12-2024

### **Information Sought and Background of the Appeal**

1. The RTI applicant vide RTI application dated 23/03/2022 sought following information from the Public Information Officer, Chief Secretary, Secretariat, Porvorim Goa :
  - i. *Kindly issue certified copy of the correspondence/notice/letter issued to any authority with respect to complaint dated 28/11/2022 addressed to the Chief Secretary, Government of Goa.*
  - ii. *Kindly issue the certified copy of the report submitted by the concerned authority in response to the letter sent by your office.*
  - iii. *Kindly issue certified copy of the action taken report in the above referred complaint.*

2. The Chief Secretary's office transferred the said complaint of the applicant dated 28/11/2022 to the SDPO, Mapusa, Bardez Goa through Under Secretary (Home-I), Government of Goa for necessary action with a copy marked to Mrs. Anita Kalangutkar.
3. Subsequently, PIO/SDPO, Mapusa vide letter dated 02/05/2023 partly replied to the RTI application. Aggrieved over providing only part information, the RTI applicant filed first appeal dated 23/05/2023 and the FAA (S.P. North Goa) after hearing the matter on 28/06/2023 vide order dated 28/06/2023 dismissed the appeal citing that the complaint dated 28/11/2022 of the RTI applicant is under inquiry by the PSI of Anjuna Police Station and other information was provided to the appellant, as per available on records of Anjuna Police Station.
4. Dissatisfied with the FAA's order, RTI applicant preferred second appeal dated 11/09/2023 before the Commission praying ...
  - i) *To initiate disciplinary action against Respondent No. 1 (PIO) for not providing information*
  - ii) *Direct the Respondents to furnish the information*
  - iii) *Impose penalty against opponent*
  - iv) *Pass any such orders which may deem fit and proper in the circumstances of the case.*
5. Parties were notified and matter was called out on 17/11/2023. Representative of the Appellant and Respondent No. 1 were present.

### **FACTS EMERGING IN COURSE OF HEARING**

6. During the course of hearing, Respondent No. 3, Suraj H. Gawas, Police Inspector in his written submission dated 13/08/2024 stated that he was posted as an Incharge of Anjuna Police Station from 09-10-2029 to 09-01-2022 but was not incharge, when the appellant sought information under RTI Act.

7. Tejesh Kumar P. Naik, PSI, Anjuna Police Station vide his letter dated 20/05/2023 addressed to the Hon'ble JMFC Court, Mapusa Goa stated that based on the complaint by the appellant Anita Kalangutkar against Mr. Vishnu Talkatkar and Mrs. Geeta Talkatkar of Ward No. 5, Sonarkhed, Assagao, Bardez Goa for physically assaulting her on 14/10/2021. Anjuna Police registered a NC case against the duo vide No. 271/2021 u/s 323, 504 r/w 34 IPC. However, the medico legal certificate received from the Goa Medical College mentioned the nature of injuries received by Anjuna Kalangutkar as 'Grievous'. Hence the PSI, Anjuna police station prayed the Hon'ble JMFC court to issue necessary orders pass to convert the N.C case FIR into FIR 504, 326 r/w 34 IPC.
8. Most of the subsequent hearings were not attended by the appellant. As per the directions SCIC, notices were issued to both the appellant and Respondents for their physical presence for the hearing fixed on 22/11/2024. During this hearing, Respondents agreed to give inspection of the concerned file to the appellant and provide whatever information the appellant required from the concerned file.
9. The Commission informed the respondents that since the ongoing investigation is based on the complaint filed by the Appellant about physical assault on her, the appellant has every right to know the progress and details of the investigation even without the help of the RTI Act, 2005.

### **DECISION**

During the hearing today, i.e. 17/12/2024, Commission found that the Appellant vide letter dated 13/12/2023 informed the Commission that she is withdrawing her appeal No. 323/2023/SCIC.

Based on the Appellant's letter withdrawing her Appeal No. 323/2023/SCIC, the matter stands disposed.

- Proceedings stands closed.
- Pronounced in the open court.
- Notify the parties.

Sd/-

**( ARAVIND KUMAR H. NAIR )**  
State Chief Information Commissioner, GSIC