

GOA STATE INFORMATION COMMISSION
"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001
E-mail: spio-gsic.goa@nic.in Website: www.scic.goa.gov.in

Appeal No.133/2025/SCIC

Ms. Neha R. Malgaonkar,
R/o. H.No. 885/8(7),
Kamat Nagar, Shetye Enclave,
Near Holy Family High School,
Porvorim, Goa 403501. -----Appellant

V/s
1.First Appellate Authority,
Office of Superintendent of Police,
North Goa, Porvorim-Goa.

2.The Public Information Officer,
SDPO, Porvorim-Goa. ---Respondents

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

Relevant facts Emerging from the Appeal

RTI application filed on	27/12/2024
PIO replied on	18/01/2025
First Appeal filed on	13/02/2025
First Appellate order on	12/03/2025
Second appeal received on	06/06/2025
Decided on	05/11/2025

Information sought and background of the Appeal

- Ms. Neha R. Malgaonkar filed an application dated 27/12/2024 under RTI Act, 2005 before the PIO/SDPO, Porvorim, Goa seeking information at 6 points including CCTV footage of the cabin of Dy. S.P, Porvorim on 04/12/2024, PI's cabin on October 21, 2024 and the PSI's cabin on October 22, 2024.
- In response to the RTI application, PIO (SDPO, Porvorim) vide letter dated 18/01/2025 replied as under:

"Point No.2	<i>The information sought by you is not available on record.</i>
Point No.3	<i>The information sought by you is NIL.</i>
Point No.4 & 5	<i>The information sought by you is denied u/s 8(1) (g) (h) of RTI Act, 2005.</i>
Point No.6	<i>The information sought by you is NIL".</i>

3. Being aggrieved by the reply/information furnished by the PIO, Appellant filed first appeal dated 13/02/2025 before the First Appellate Authority praying that Respondent PIO be directed to furnish the sought information which does not falls under the exemption clause u/s. 8 (g) and 8(h).
4. FAA (S.P. North) however vide order dated 12/03/2025 dismissed the first appeal upholding the reply given by the Respondent PIO.
5. Subsequently, Appellant preferred Second appeal dated 06/06/2025 before the Commission stating that FAA dismissed first appeal upholding the say of the Respondent PIO and without stating valid reasons as well as without considering the grounds placed by the Appellant. Appellant prayed for direction to the Respondent PIO to furnish information sought and to impose Penalty on Respondent PIO for not furnishing information.

FACTS EMERGING IN COURSE OF HEARING

6. Pursuant to the filing of the present appeal by the Appellant, parties were notified fixing the hearing on 07/07/2025 for which none present for Appellant. Shri. Rahul Parab, APIO & P.I, Porvorim Police Station present for the Respondent PIO with authority letter.

Respondent PIO filed submission through representative (APIO/PI, Porvorim Police Station). In the submission dated 07/07/2025, Respondent PIO stated that Appellant was informed that no CCTV camera is installed in the cabin of Dy.S.P, Porvorim and CCTV footage in respect of the cabin of P.I Rahul Parab and PSI Mandar Parab of Porvorim Police Station on October 21 & 22, 2024 denied u/s. 8 (1) (g) (h) of RTI Act, 2005 as the footage contains valuable details such as interrogation of accused persons, investigation of crimes, presence of female complainants etc. Matter adjourned to 22/07/2025.

7. When matter called out for hearing on 22/07/2025, Appellant present along with Adv. Omkar B. Mestri. APIO/P.I, Porvorim Police

Station present for Respondent PIO. Respondent PIO's submission dated 07/07/2025 furnished to the Appellant and Adv. Mestri submitted that his senior will argue the matter on the next date of hearing. Matter adjourned to 20/08/2025.

8. Matter took up for hearing on 20/08/2025 for which Appellant present along with Adv. Sitaram S. Joshi and Police Constable Shaikh Harun present for Respondent PIO. Matter adjourned to 06/10/2025 for arguments.
9. Matter called out for argument on 06/10/2025 for which Appellant present along with Adv. Sitaram Joshi and Respondent PIO's representative Shri. Rahul Parab, APIO and P.I, Porvorim Police Station present with ASI Umesh Pauskar. Written arguments dated 24/09/2025 of the Appellant received in the Registry on 26/09/2025 served to the Respondent PIO's authorised person, APIO. Appellant in her written argument submitted that:
 - i. Respondent PIO denied the CCTV footage u/s. 8(1) (g) and 8(1) (h) but the CCTV footage sought pertains to a limited time frame only and did not involve sensitive or confidential operations.
 - ii. FAA vaguely alleged that the Appellant might misuse the information, without providing any basis or evidence.
 - iii. Even if portion of the requested information is considered sensitive, the Authority/failed to apply Section 10 of the Act.

Appellant prayed that the impugned order dated 08/04/2025 of the FAA be set aside and direct the Respondent PIO to furnish information and impose penalty on Respondent PIO.

Presiding Commissioner directed the representative of the Respondent PIO to check the CCTV footage sought by the Appellant to confirm the presence of the Appellant.

Respondent PIO's representative (APIO/PI, Porvorim Police Station) filed copies of -

- a. FIR No.117/2024 registered u/s. 173BNSS dated 05/11/2024 against Miss Neha Malgaonkar (Appellant) and Mr. Rohan Hoble u/s. 420 IPC r/w Section 34 IPC on a complaint dated 05/11/2024 filed with the Police Inspector, Porvorim Police Station Goa by Mrs. Tejasvini S. Diukar.
- b. Copy of the complaint dated 05/11/2024 filed to the P.I, Porvorim Police Station by Mrs. Tejasvini S. Diukar of Taleigao against (1) Ms. Neha Malgaonkar, Porvorim and (2) Mr. Rohan Hoble of Mercedes for cheating Rs. 26,00,000/- by giving false promises of giving shop located at CHOGM road, Porvorim on sale.

Matter fixed for final hearing on 05/11/2025.

10. When matter took up for final hearing on 05/11/2025. Appellant present along with Adv. Sitaram Joshi and Respondent PIO was represented by APIO/PI, Porvorim. Appellant submitted that as a citizen she is entitled to receive the CCTV footage sought but the representative of the Respondent PIO submitted that since the investigation in the FIR No.117/2025 dated 05/11/2024 registered against the Appellant and her friend is going on, CCTV footage cannot be furnished to the Appellant, who is alleged Accused No.1 in the said FIR.

DECISION

Since the investigation into the FIR No.117/2024 dated 05/11/2024 registered against the Appellant and her friend as alleged accused in a cheating case is under process, the Respondent PIO's authorised representative has objected to furnishing the CCTV footage of October 21 and 22, 2024 on the ground that it will impede their investigation and misuse of the same by the Appellant and her friend, but Commission directed the Respondent PIO -

- i. To allow the Appellant at 11.00 hours on 07/11/2025 to view the CCTV footage dated October 21 & 22, 2024 of Porvorim Police Station (Cabins of PI & PSI) sought by the Appellant vide her RTI application dated 27/12/2024.*
- ii. Make necessary arrangement enabling the Appellant to view the aforesaid CCTV footage comfortably in an area in the Porvorim Police Station in the presence of a Woman Police Officer.*
- iii. Appellant should not be allowed to videograph/photograph the CCTV footage.**
- iv. Appellant shall be accompanied by one of her close relative or a close friend (not her lawyer) to watch the CCTV footage but phone should not be carried while viewing the said CCTV footage.**

Respondent PIO's compliance report should reach the Commission within 10 days of the receipt of the order.

Matter disposed. Proceedings stands closed.

- Pronounced in Open Court.
- Notify the Parties.

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/-

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