

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. 157/2024/SCIC

Adv. Joel Mendes,
R/o. Shantadurga Apartments,
F-1, Dr. Minguel Miranda Road,
Margao, Salcete Goa 403601.
V/s

-----Appellant

1.Public Information Officer,
Office of the Dy. Suptd of Police(Salcete),
Margao, Salcete-Goa.

2.The First Appellate Authority,
Superintendent of Police,
Margao, Salcete-Goa.

-----Respondents

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

Relevant Facts Emerging from the Appeal

RTI application filed on	- 27-01-2024
PIO replied on	- 23-02-2024
First Appeal filed on	- 26-03-2024
First Appellate order on	- 22-04-2024
Second appeal received on	- 29-07-2024
Decision of the Second Appeal on	- 25-06-2025

Information sought and background of the Appeal

1. Adv. Joel Mendes filed an application dated 27/06/2024 under RTI Act, 2005 to the PIO, O/o. Dy. Superintendent of Police, Margao seeking following information :
 - i. *"Kindly provide the exact number of road accidents that have taken place in the year 2022 and 2023 within the Jurisdiction of the Police Stations coming under you in which deaths have been caused of human beings in those road accidents.*
Please provide the certified copies of the First Information Reports registered pertaining to the same.
 - ii. *Kindly state whether the concerned Investigating officers who were investigating the said road accidents have followed due process of law in filing Miscellaneous Claim Petition (MCP) in the concerned*

Courts/Tribunals wherein deaths have occurred. If yes kindly provide certified proof of the Miscellaneous Claim Petition Filed.”

2. Perusal of documents enclosed along with the present appeal by the Appellant revealed the following :

- i. As a reply to the said RTI application dated 27/01/2024, Appellant received letter dated 23/02/2024 from the PIO (Sub Divisional Police Officer, Margao).

The PIO's letter is the communication to the Appellant to collect the information in respect of his RTI application dated 27/01/2024 by paying an amount of Rs.528/- to the Accounts Section Office of Superintendent of Police South to collect the desired information.

- ii. Letter dated 08/04/2024 of the PIO, Sub Divisional Police Officer, Margao replying to the Appellant's RTI application dated 27/01/2024 as under :

Query No.1-	As per APIO/PI of Margao Sub Division, certified copies of FIR and complaints are enclosed.
Query No.2-	As per APIO/PI of Margao Sub Division, information Asked by Appellant does not come within the ambit of RTI Act, 2005.
Query No.3-	Copy of First Appeal dated 26/04/2024 along with RTI application dated 27/06/2024. Appellant approached the Commission with the present appeal dated 29/07/2024.
Query No.4-	PIO/Sub Divisional Police Officer Margao has already furnished information to Point No.1 of the Appellant's RTI application dated 27/01/2024.

- iii. Copy of the order dated 22/04/2024 passed by the First Appellate Authority (Superintendent of Police, South Goa) dismissing the first Appeal filed by the Appellant on 26/03/2024 on the ground as mentioned below :

- a) PIO/SDPO, Margao has already furnished information to Point No. 1 of the appellant's RTI application dated 27/01/2024 ;
b) With regard to Point No.2, Appellant was furnished appropriate reply by the Respondent PIO/SDPO Margao.

Facts Emerging from the Course of Hearing

- 3) Pursuant to the filing of the present appeal dated 29/07/2024, parties were notified fixing the matters for hearing on 20/12/2024 for which Appellant was absent by intimating the Registry. Shri. Nathan Almeida, appeared on behalf of the Respondent PIO with authority letter and collected the copy of appeal memo. Matter adjourned to 14/01/2025.
- 4) When the matter called out for hearing on 14/01/2025, Appellant and Respondent PIO remained absent. However, Shri. Sanil Sawant Dessai PSI of Fatorda Police Station appeared on behalf of the Respondent PIO and filed written submission of the Respondent PIO with an additional copy to the Appellant.
- 5) In the written submission Respondent PIO submitted that :
 - i. Information in respect of Point No.1 in the RTI application was fully furnished by providing FIR copies of Fatal accidents occurred in the Margao Sub Division to the Appellant.
 - ii. With regard to Point No.2 in the RTI application seeking certified proof of Miscellaneous Claim Petition filed, providing proof does not come within the ambit of RTI Act and the requested information is related to public and providing such information to the Appellant may cause unwarranted invasion of the privacy of the individual concerned in accidents taken place in the year 2022 and 2023. Hence information was rejected u/s 8(j) of the Act.
 - iii. All the IOs are following the Supreme Court Guidelines issued in Motor Vehicle Accidents cases and the order passed in Civil Appeal No.9322 of 2022 decided on 15th December 2022 and submits the factual reports in concerned Court in time.
- 6) In the subsequent hearing held on 03/03/2025, Representative of the Appellant present but Respondents were absent.
- 7) When the matter took up again on 05/05/2025, Appellant present in person and Shri. Sanil Sawant, PSI, Fatorda Police Station appeared on

behalf of Respondent PIO. Commission directed the Respondent PIO to file proper reply before the next date of hearing. In the next hearing held on 22/05/2025, Appellant appeared in person, none present for the Respondent PIO.

- 8) Matter was taken up for hearing on 03/06/2025 for which Respondent PIO's representative appeared and Appellant was absent. Directed to ensure the presence of PIO or APIO for the next hearing slated for 25/06/2025.
- 9) Matter took up on 25/06/2025 for final hearing for which APIO/PI, Margao Police Station appeared and Appellant was absent. APIO placed detail oral arguments on the information sought by the Appellant at Point No.2 of the RTI application and submitted that information with regard to the Point No.1 of the RTI application has already been furnished to the Appellant.

Commission's Observation

Since the Respondent has already furnished information with regard to Point No.1 in the RTI application, the matter is now pertaining to Point No.2 only, filing of Miscellaneous Claim Petition in the concerned Court/Tribunal in death in the road accidents.

DECISION

- i. **The Respondent PIO is directed to furnish, free of cost, to the Appellant copies of the Covering letter only of Detailed Accident Reports Form-II of MACT filed before the concerned Hon'ble Courts/Motor Accident Claim Tribunal by the Dy. Superintendent (SDPO), Margao in connection with the road accident death cases reported under the Jurisdiction of Dy. S.P, Margao for the year 2022 and 2023.**

- ii. Since the original of the covering letters of Accident Report Form-II of MACT is submitted before the Court/Tribunal, Respondent PIO can provide only copies of the covering letter and not certified copies in order to get the Appellant confirmed that IOs have been following due process of law while filing MCPs.

With the above direction, the proceedings in the present appeal stand closed and matter disposed off.

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