GOA STATE INFORMATION COMMISSION
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Appeal No. 228/2024/SIC

Nitin Y. Patekar,
Oshalbag, Dhargal,
P.O. Colvale-Goa 403513. .....Appellant

V/S

1.The First Appellate Authority,
O/o. Superintendent of Police, North,
Porvorim-Goa.

2. Public Information Officer,
O/o. Police Station,
Pernem-Goa. .....Respondents

Shri. Atmaram R. Barve State Information Commissioner

Filed on: 21/10/2024
Decided on: 18/06/2025

ORDER

1. The present second appeal arises out of the Right to Information (RTI) application dated 19/07/2024 made by the Appellant herein Shri. Nitin Y. Patekar and addressed to the PIO at office of Sub Divisional Police Office (SDPO), Pernem-Goa, wherein the Appellant herein had sought inspection of the Station Dairy of Pernem Police Station pertaining to date 06/08/2021.

2. Vide reply dated 29/07/2024, the Public Information Officer (PIO), Shri. Jivba Dalvi intimated the Appellant herein that such an inspection could not be provided interms of Section 8(1)(h) of the RTI Act, 2005.

3. Aggrieved by this response, the Appellant herein preferred first appeal dated 12/08/2024 before the competent authority.

4. Vide order dated 24/09/202, the First Appellate Authority (FAA) dismissed the first appeal of the Appellant herein and upheld the stand taken by the PIO.

5. The Appellant herein preferred second appeal before this Commission vide appeal memo dated 21/10/2024. Notices were served and matter came up to be heard from 17/02/2025 onwards.

6. Vide reply dated 17/02/2025 in response to the appeal memo, the PIO reiterated the stand that, the said inspection could not be provided interms of Section 8(1)(h) of the RTI Act, 2005.

7. The Appellant herein argued that his application does not contain any such matter that would invade the privacy or hamper the course of any investigation and that Station Dairy is a document which is accessed by all the on-duty staff of the Police Department, Home Guards etc.

8. Upon perusal of the appeal memo as well as all the other materials on record, it is clear that the Appellant herein has not sought any copies of any documents but instead has only asked for inspection of Station Dairy pertaining to specific date only.

9. The aspect of whether inspection of Station Dairy or providing extract of the same is covered under Section 8(1)(h) of the RTI Act or not has been dealt by this Commission in Appeal No. 267/2022/SCIC wherein this Commission has held that only the relevant part of Station Dairy can be issued to the information seeker under RTI Act, 2005.

10. In the light of the above order, this Commission is of the considered opinion that, providing inspection of the said part

of Station Dairy of the date specified by the Appellant in his original RTI application can be made available for inspection.

11. The present second appeal is disposed with following order:-

a. The present second appeal is allowed.

b. The PIO at office of SDPO at Pernem is hereby directed to allow the inspection of the relevant Station Dairy to the Appellant herein on 07/07/2025 at 11.00 am.

c. The present PIO shall ensure that the proceeding of the said inspection is recorded in terms of minutes and the PIO as well ass the information seeker shall put their signature therein.

d. Registry to issue show cause notice to the PIO seeking clarification as to why action should not be initiated under Section 20(1) of the RTI Act in case of order of this Commission are not complied with.

e. The PIO shall remain present alongwith reply to the show cause notice and compliance report of the aforementioned directions on **17/07/2025 at 11.00** failing which necessary disciplinary action and penal proceeding shall be initiated.

- No order as to cost.
- Parties to be provided authenticated copies of the order.
- 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/-

(Atmaram R. Barve)
State Information Commissioner