

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri. M. S. Keny, State Chief Information Commissioner

Appeal No. 119/SIC/2011

Shri Jowett D'Souza,
H. No. 139, Ambeaxir,
Sernabatim, Colva,
Salcete – Goa

.... Appellant

V/s.

1) Public Information Officer,
Superintendent of Police,
North District Police Hqrs.,
Porvorim,
Bardez – Goa

... Respondent No.1.

2) First Appellate Authority,
Inspector General of Police,
Police Headquarters,
Panaji – Goa

... Respondent No. 2.

Appellant in person.

Adv. Shri N. Dias for Respondent No. 1.

J U D G M E N T
(30.03.2012)

1. The Appellant, Shri Jowett D'souza, has filed the present Appeal praying that the Order of Respondent No. 2 dated 01.04.2011 in Appeal No. 18/2011 be quashed, cancelled and set aside; that the Respondent No. 1 be directed to furnish the information sought; that disciplinary proceedings be initiated and that penalty be imposed on the Respondents.

2. The case of the Appellant is as under:-

That the Appellant, vide application dated 14.03.2011 sought certain information under Right to Information Act, 2005 ('R.T.I. Act for short') from the Public Information Officer (P.I.O.)/the Respondent No. 1. That the Respondent No. 1 vide reply dated 15.03.2011 rejected the request under section 8(1) (h) of the R.T.I. Act. Being not satisfied the Appellant preferred an appeal before the First Appellate Authority/Respondent No. 2 who failed to hear nor replied to the First Appeal within 48 hours. That the Respondent No. 2 rejected the Appeal upholding the findings of Respondent No. 1 vide Order dated 01.04.2011. Being aggrieved the Appellant has filed the present Appeal on various grounds as stated in the Memo of Appeal.

3. The case of the Respondent No. 1 is fully set out in the reply. In short it is the case of the Respondent No.1 that reply was furnished on 15.03.2011. That the information sought has not been furnished as the matter was under investigation and that the same may impede the further investigation. The Respondent No. 1 denies the grounds of appeal I to IV specifically.

4. Heard the arguments. Appellant argued in person and the learned Adv. Shri N. Dias argued on behalf of the Respondent No. 1.

5. I have carefully gone through the records of the case and also considered the arguments advanced by the parties.

It is seen that this Commission has disposed off Appeal No. 65/SCIC/2011.

5. I have carefully gone through the records of the case and also considered the arguments advanced by the parties.

It is seen that this Commission has disposed off the Appeal No. 65/SCIC/2011. In the said Appeal as well as the present Appeal the information sought is, point to point, the same. The same could be taken in respect of the present Appeal.

R.T.I. Act though does not bar yet it is not in the spirit of the Act to ask the information again.

The Appellant when asked states that the same could be disposed off in view of the Appeal No. 65/SCIC/2011.

6. In view of the above, I pass the following Order:-

ORDER

In view of the Judgment/Order passed in Appeal No. 65/SCIC/2011 the present Appeal is disposed off.

The Appeal is accordingly disposed off.

Pronounced in the Commission on this 30th day of March, 2012.

Sd/-
(M. S. Keny)
State Chief Information Commissioner

