

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information
Commissioner

Appeal No. 262/2008

Joao C. Pereira,
H. No. 40, Acsona, Utorda,
Majorda,
Salcete – Goa

... Appellant.

V/s.

1) The Public Information Officer,
Superintendent of Police (Crime),
Dona Paula,
Panaji – Goa

... Respondent No. 1.

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

... Respondent No. 2.

Appellant in person.
Smt. N. Narvekar for the Respondents.

J U D G M E N T

(Per Afonso Araujo)

The information sought under the Right to Information Act, 2005 (for short the 'RTI Act') by request dated 05.11.2008 and requires that the Respondent allow him inspection of enquiry files alongwith case diaries of Crime No. 328/07 alongwith his friend Lazarus Cardozo.

2. By communication dated 19.11.2008 the Respondent No. 1 declined the request of the Appellant on the grounds that it will hamper the process of investigation as the same is still going on and rejected u/s. 8(1) (h) of the RTI Act. Aggrieved by this decision the

...2/-

Appellant preferred First Appeal before the First Appellate Authority and by order dated 22.12.2008 the First Appellate Authority upheld the decision of the Respondent No. 1 and rejected the appeal. Hence, this Second Appeal.

3. It appears that the Appellant is the complainant and the Crime No. 328/07 was registered at Vasco Police Station and subsequently transferred to Crime Branch, Dona Paul. Since upon the complaint of the Appellant crime was registered under No. 328/07, the Appellant is entitled for the inspection of the enquiry files and case diaries pertaining to the above Crime No. 328/07 as in no manner it can be said that by providing the information by way of inspection it would impede the process of investigation. However, the Appellant has to carry the inspection personally and he cannot take along his friend Lazarus Cardozo for such inspection of enquiry files and case diaries. With these observations, the following order:

ORDER

The Appeal is partly allowed. The Respondent No. 1 to provide information by way of inspection of the files and case diaries of Crime No. 328/07 only to the Appellant.

Pronounced on this 26th day of February, 2010.

**Sd/-
(Afonso Araujo)
State Information Commissioner**

