

# **GOA STATE INFORMATION COMMISSION**

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.

Misc. Appli. No. 1/2006/Police  
in main appeal No.13/2006/Police

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

..... Complainant.

V/s.

1. Public Information Officer,  
Superintendent of Police (Headquarters),  
Panaji
2. Deputy Inspector General of Police (II),  
PHQ, Panaji.

..... Opponents.

## **CORAM:**

Shri A. Venkataratnam  
State Chief Information Commissioner  
&  
Shri G. G. Kambli  
State Information Commissioner

(Per A. Venkataratnam)

Dated : 09/11/2006.

Complainant in person.

Smt. Ezilda D'Souza, authorized representative for both the opponents.

## **ORDER**

This is a complaint filed on 25/9/2006 alleging that the order dated 5/9/2006 in the second Appeal No.13/2006/Police issued by this Commission is not implemented. On the day fixed for hearing the authorized representative is directed to file an Affidavit by the Public Information Officer, which was done subsequently.

2. The facts are already mentioned in the order of the main appeal. The brief point here is that whether Shri Arvind Gawas, S.P. (Headquarters) who is the Public Information Officer in both the appeal as well as in this complaint has prepared a report and sent it to the Under Secretary on behalf of the DGP on 13/12/2005. The main contention of the Complainant is that his complaint dated 29/10/2005 sent to the Chief Secretary is allegations against the Public Information Officer/opponent No. 1 herein and the reply sent to the Government by the Public Information Officer/opponent No. 1 on 13/12/2005

...2/-

does not mentioned about this. Joining issue by way of an Affidavit-in-reply, the opponent No. 1 has stated that he is not aware if any enquiry was conducted against him and therefore, question of furnishing copy of such an enquiry report to the Complainant does not arise. So also question of informing the name of the enquiry officer does not arise. The DIG - II separately by his letter dated 14/9/2006 wrote to the Under Secretary of this Commission regarding the compliance of earlier order dated 5/9/2006 in the second appeal No. 13/2006. He clearly mentioned that all the reports of the Complainant are inquired into by S.P. (South) and not the S. P. (Hqrs.) and are already given to him. The confusion has arisen because the letter sent to the Government was signed by the S.P. (Hqrs.) who heads the Petition Cell of the DGP office. As there is a clear submission from the opponent No. 2 that no enquiry was held against the opponent No. 1, no further order from this Commission is required. The Commission is satisfied with the steps taken for the compliance of its earlier order with regard to issuing general instructions to the APIO's and furnishing of two enquiry reports to the Complainant. We also hope that the third direction, namely, that the First Appellate Authority should pass speaking orders after hearing the Appellants will be complied with in due course. With this, the miscellaneous application is rejected.

Pronounced in open Court.

(A. Venkataratnam)  
State Chief Information Commissioner, GOA.

(G. G. Kamblı)  
State Information Commissioner, GOA.