

GOA INFORMATION COMMISSION

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

Appeal No. 119/2007-08/Police

Mr. Francis Rodrigues,
chamber No. 60, Old Market,
Margao - Goa.

..... Appellant.

V/s.

1. First Appellate Authority,
The Dy. Inspector General of Police,
Police Headquarters, Panaji - Goa.
2. Public Information Officer,
The Superintendent of Police (South),
Town Police Station, Margao – Goa.

..... Respondents.

CORAM:

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

(Per A. Venkataratnam)

Dated: 08/05/2008.

Authorized representative Silveiro Dias represented the Appellant.

Adv. K. L. Bhagat for both the Respondents.

ORDER

The Appellant herein requested the Respondent No. 2, the Public Information Officer on 18th August, 2007, information regarding 11 letters/complaints made by various persons including the Appellant himself before the Margao Police Station from the years 2004 onwards. By his request, the Appellant wanted to know the action taken on all his applications and also copies of the entries of the station diaries in all these cases alongwith the names and designations of the investigation officers. The Public Information Officer by 5 letters has supplied the documents, some of them within time and most of them beyond the 30 days. Not satisfied with the replies, the Appellant filed the first appeal. The Respondent No. 1, first Appellate Authority, treated the appeals as "disposed off" as the Public Information Officer agreed to give the documents in 4 cases/ complaints and requested the Appellant to collect the same from the Public Information Officer. As regards one point, namely, copy of the complaint dated 06/06/2004 by one Ms. Mascarenhas, the P.I. Margao Town Police admitted to have misplaced it. Consequently, there is no enquiry and no enquiry report in that matter. Finally, on one point namely, the station diary the Public Information Officer stated that there are no entries in respect of the cases mentioned by the Appellant and are not entered in the station diary.

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2. It is admitted by the Public Information Officer that the station diary did not contain any details about the enquiry/investigation in the complaints cited by the Appellant. The Appellant is confusing the station diary and the case diary. He requested for station diary and in the second appeal he has raised the grievance about the case diary and quoted section 172 of Cr.P.C. These two are completely different records. Therefore, we accept the contention of the Public Information Officer and reject the request of the Appellant on this point. In the other matters, excepting the misplaced complaint, the Appellant has received these reports but he is not satisfied about the contents. It is not for this Commission to go into the contents of the reports of the Police to determine whether the investigations are properly conducted or not. The scope of the Right to Information Act is limited to requesting the information by a citizen and giving it by a Public Information Officer. It does not empower this Commission to sit in judgement on what was investigated by the Police and whether it was properly done. Hence, the grievance of the Appellant is rejected. Finally, about the missing complaint, it is admitted that the Appellant is not the original Complainant. He cannot, therefore, make a grievance of not getting it when it is misplaced by the public authority. It is for that Complainant, to further pursue with the Public Information Officer.

3. In view of the above discussion, the appeal is dismissed having no merit.

Pronounced in the open court on this 8th day of May, 2008.

Sd/-
(A. Venkataratnam)
State Chief Information Commissioner

Sd/-
(G. G. Kambli)
State Information Commissioner