

GOA STATE INFORMATION COMMISSION

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

Appeal No. 67/2006/POL

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

..... Appellant.

V/s.

1. Public Information Officer
Superintendent of Police (South),
Margao - Goa.
2. First Appellate Authority
Deputy Inspector General of Police,
Police Headquarters, Panaji - Goa.

..... Respondents.

CORAM:

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

(Per A. Venkataratnam)

Under Section 19 (3) of the RTI Act, 2005 (Central Act 22 of 2005)

Dated: 12/04/2007.

Appellant in person.

Mr. Nolasco Raposo, P. I., Verna Police Station, authorized officer of both the Respondents is present.

ORDER

The Appellant by his request dated 20th October, 2006 asked for certain information from Respondent No. 1 regarding a FIR registered by the Verna Police Station on 5/9/2005. He has asked 10 questions. The Respondent No. 1 by his letter dated 20/11/2006 has rejected the request in respect of 8 points. On 9th and 10th points he has given the information. Not satisfied with the reply, the Appellant moved the first Appellate Authority, the Respondent No. 2, with a request that the information on all the remaining 8 points, rejected earlier by the Public Information Officer, should be given to him and that the wrong information given for points 9 and 10 should be rectified. The Respondent No. 2 vide his letter dated 21/12/2006 has rejected the appeal upholding the reply of the Public Information Officer. Hence, the second appeal.

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2. The contention of the Appellant is that the refusal under Section 8(1)(h) of the Right to Information Act is illegal and does not impede the process of prosecution of offenders i.e. Appellant himself before the Court in case No. 265/S/06/A. He has also maintained that information given to questions 9 and 10 are incorrect. There is a submission on record by the Police Inspector of Verna Police Station, authorized by both the Respondent No. 1 and 2 which we take as the written statements of both the Respondents. Their case is that the Appellant himself is accused in a criminal Case No. 74/05 and the case was already chargesheeted and pending before the Court for trial. Any disclosure of the information at this stage would impede the trial before the Court. We accept this view in respect of the information denied. As to the wrong information to the 9 and 10 points, the first Appellate Authority has already gone into the details and found that in one case the information received from Mr. Balaram was not inwards in the register of Verna Police Station and the factual information was given to the Appellant. As to the final point regarding who received the petition of M/s. Ramesh Khanna on 7/7/2005 in the Verna Police Station was also replied. Only because the Public Information Officer could not mention as to who has acknowledged the said letter dated 7/7/2005, it does not become incomplete or wrong information. With the result, the appeal deserves to be rejected and is hereby rejected. Parties to be informed by post.

(A. Venkataratnam)
State Chief Information Commissioner

(G. G. Kambli)
State Information Commissioner