

GOA STATE INFORMATION COMMISSION

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

Appeal No. 94/2006/POL

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

..... Appellant.

V/s.

1. Public Information Officer
Superintendent of Police (South),
Town Police Station,
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: 16/04/2007.

Appellant in person.

Authorized officer of both the Respondents present.

ORDER

The Appellant approached the Respondent No. 1 on 21/11/2006 to give him "details of the investigation carried out by the then Police Sub Inspector Edwin Colaco attached to Verna Police Station during period 1/10/2005 till 13/3/2006 in criminal Case No. 74/2005". The Respondent No. 1 has rejected the request under Section 8(1)(h) as the investigation is already completed and case has been chargesheeted in the Criminal Court of Margao. The request was rejected under Section 8(1)(h) of the Right to Information Act. The first Appellate Authority has already upheld the Public Information Officer's decision. Against this the second appeal is filed by the Appellant.

...2/-

2. The main contention of the Appellant is that contents of Section 8(1)(h) are misinterpreted and wrongly invoked to protect the Investigation Officer. We are afraid that we are not in a position to accept the Appellant's view as any defence he wants to take in the matter of investigation of crime against him, he will have an opportunity in the Court to do so at the appropriate time. The appeal is rejected.

(A. Venkataratnam)
State Chief Information Commissioner

(G. G. Kambli)
State Information Commissioner