

## **GOA STATE INFORMATION COMMISSION**

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**Appeal No.217/2024/SCIC  
&  
Appeal No.239/2024/SCIC**

Shri. Jeetendra M. Vaigankar,  
H. No.299/4, Tropa waddo,  
Sodiem, Siolim- Goa.

---Appellant

V/s

1.Public Information Officer,  
Shri. Jivba G. Dalvi,  
Sub Divisional Police Officer,  
Pernem-Goa.

2.The Public Information Officer,  
Shri. Braz T. Menezes,  
Dy. Superintendent of Police,  
Headquarters (North), Porvorim-Goa.

3.First Appellate Authority,  
The Superintendent of Police (North),  
Porvorim-Goa.

-----Respondents

**Shri. ARAVIND KUMAR H. NAIR - State Chief Information Commissioner, GSIC**

### **Relevant Facts Emerging from the Appeal**

<b>RTI application filed on</b>	- 28/02/2024
<b>PIO replied on</b>	- 18/03/2024
<b>First Appeal filed on</b>	- NIL
<b>First Appellate order on</b>	- 22/07/2024
<b>Second appeal received on</b>	- 03/10/2024
<b>Decision of the Second Appeal on</b>	- 25/06/2025

### **Information sought and background of the Appeal**

- Shri. Jeetendra M. Vaigankar filed two applications dated 28/02/2024 under RTI Act, 2005 to the PIO/Office of Superintendent (PHQ), Panaji, Goa seeking following information (both the applications are having same date and same RTI queries) in connection with the visit of policemen at H. No 321/4, Tropa Waddo, Sodiem, Siolim, North Goa on 02/02/2024 in Police vehicle bearing No.GA-07-G-1407:

- i. *“Provide me details of the above vehicle bearing No. GA-07-G-1407 which was used to visit the above mentioned H. No.321/4, Tropa waddo, Sodiem, Siolim on 02/02/2024.*
  - ii. *Provide me the name and designation and buckle number of two police officers visited the above said H. No.321/4, Tropawaddo on 02/02/2024.*
  - iii. *Provide me the details of lay book showing out entry and in entry of above vehicle visited H. No. 321/4, Tropa waddo, Sodiem, Siolim on 02/02/2024.*
  - iv. *Provide me the details and certified copies of the purpose of visiting the above mentioned address by the police in the above said vehicle.*
  - v. *Provide me the details of stations diary of two police officers visited H. No. 321/4, Tropa waddo, Sodiem, Siolim by government vehicle No.GA-07-G-1407”.*
2. On receipt of the RTI application dated 28/02/2024, PIO (Office Superintendent), Admin Branch of DGP’s office, PHQ, Panaji vide letter dated 05/03/2024 transferred the application u/s. 6(3) of RTI Act, 2005 to the PIO/Sub Divisional Police Officer of Porvorim and Mapusa, North Goa District with a copy to the Appellant.
  3. On receipt of the RTI application (on transfer from the office Superintendent, DGP’s office, PHQ, u/s. 6(3) of RTI Act, 2005), PIO/Sub Divisional Police Officer, Mapusa vide letter dated 06/03/2024 transferred the application to the PIO/Sub Divisional Police Officer, Pernem on the ground that the sought information pertains to the SDPO, Pernem and not SDPO, Mapusa.
  4. PIO/Sub Divisional Police Officer, Porvorim vide letter dated 15/03/2024 replied to the PIO (Dy. SP, MT Section, Panaji) with copy to the Appellant and the PIO, Admin Branch of DGP’S office that as per the reply furnished by the APIO’s/PI’s of Porvorim, Calangute and Saligao Police Stations that the information sought by the Appellant is not applicable to their police stations.

5. PIO/Sub Divisional Police Officer, Pernem vide letter dated 18/03/2024 replied to the Appellant furnishing the following information covering all five (05) RTI queries of the Appellant -

*"The information sought by you is not applicable to this office".*

6. Subsequently, PIO/SDPO, Pernem vide letter dated 30/03/2024 replied to the Appellant as under :

<i>"Point No.1-</i>	<i>The Vehicle No. GA-07-G-1407 is allotted to Sub Divisional Police Officer, Pernem.</i>
<i>Point No.2-</i>	<i>Permission Driver IRB PCB No.210222 Shri. Vaibhav Sawant of 2<sup>nd</sup> IRB, Altinho, Panaji, Goa and Home Guard Shri. Amit Parsekar of Pernem Sub Division.</i>
<i>Point No.3 -</i>	<i>The required information is enclosed herewith (Log book of Vehicle No. GA-07-G-1407).</i>
<i>Point No.4 -</i>	<i>Required information is rejected u/s. 2 (f) of RTI Act, 2005.</i>
<i>Point No.5 -</i>	<i>Required information is NIL."</i>

7. Thereafter, Appellant filed first appeal dated NIL before the First Appellate Authority (FAA/S.P North) stating that the Respondent No.1 (PIO/SDPO, Pernem), has not provided complete information.
8. Appellant in his first appeal prayed that Respondent PIO be directed to furnish the sought information vide application dated 28/02/2024, call for the records from the office of Respondent No.1 and 2, including station diary from the office of the Sub Divisional Police Officer, Pernem from January 2024 till date.
9. After hearing the first appeal in 12/07/2024, FAA (S.P North) dismissed (12/07/2024) the matter by upholding the say of the Respondent PIOs who have submitted that there is no prescribed rules and regulations with regard to the visit of the police officials with official vehicle to various places and their return to the SDPO, Pernem.

10. Being aggrieved by the order passed by the FAA on 12/07/2024, Appellant preferred Second appeal dated 03/10/2024 before the Commission with the following prayers :
- i. Respondents may be directed to furnish the required information.
  - ii. Records from the office of the Respondent 1, 2 and 3 be called for the purpose of deciding the appeal.
  - iii. Initiate disciplinary actions against Respondent 1,2 and 3 for not providing the orders.

### **FACTS EMERGING IN COURSE OF HEARING**

11. Pursuant to the filing of the present appeal by the Appellant, parties were notified fixing the matter for hearing on 20/02/2025 for which Appellant and Representatives of the Respondent No.1 and 2 appeared.

On 20/02/2025, Respondent No. 2 filed written reply stating that with regard to the prescribed rules and regulations in the matter of the visit of police officials/drivers to various locations and back to the Sub Divisional Police Offices in government vehicle, Appellant was informed that the said information is not available on record and information sought at Point No.2 to 5 by the Appellant is not applicable to the office of Respondent 2 (DY. SP, S.P Office, North, Porvorim).

12. Respondent No.1 filed written reply dated 19/02/2025 containing information/reply provided to the 5-Point RTI application dated 28/02/2024 and 04/04/2024. In the reply, PIO/SDPO, Pernem (Respondent No. 1) clearly mentioned that information with regard to the RTI query "*Provide me details and certified copies of the purpose of visiting House No.321/4, Tropa Vaddo, Sodiem, Siolim on 02/02/2024 by Vehicle No. GA-07-G-1407*" is rejected u/s. 2(f) of the RTI Act, 2005. Similarly, with regard to the RTI query "*provide me the prescribed rules and records maintained by the Sub Divisional Police Officer for the use of vehicles*" it is replied that "*information is not available*".

13. Subsequently, couple of hearings held in the matter and Commission has come to the conclusion that :
- i. Application dated 28/02/2024 is only taken for consideration by the Commission.
  - ii. Respondent No.1 (PIO/SDPO, Pernem) vide letter dated 30/03/2024 had furnished information to the Appellant's 5-Point RTI application dated 28/02/2024.
  - iii. During the course of proceedings, it has been noticed that the Appellant and his neighbour is not in good terms but it doesn't provide any ground to the Appellant to seek details and certified copies of the purpose of visiting of two policemen at the residence of his neighbours in police Jeep Bearing No. GA-07-G-1407.
  - iv. With regard to the details of station diary of the visit of two policemen at H. No. 321/4, Sodiem, Siolim by police vehicle, it is mentioned in the reply as NIL by the PIO.

### **DECISION**

- 1. Commission is decided to dispose off the present Appeal No.217/2024/SCIC and Appeal No. 239/2024/SCIC on the ground that the Respondent PIO has adequately replied or furnished information to the Appellant's RTI application dated 28/02/2024.**
- 2. Strained relationship between the Appellant and his neighbours does not make the police bound to provide details and certified copies of the purpose of visit of policemen at the residence of the Appellant's neighbour in a police Jeep.**
- 3. This order is applicable to Appeal No. 239/2024/SCIC also as the RTI queries as well as parties to both the appeals are same.**

- Proceeding stands closed.
- Pronounced in open Court.
- Notify the parties.

***Aggrieved party if any, may move against this order by way of a Writ Petition as no further Appeal is provided against this order under the Right to Information Act, 2005.***

Sd/-

**(ARAVIND KUMAR H. NAIR)**  
State Chief Information Commissioner, GSIC