

GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

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Complaint No. 04/2021/SCIC

Shri. Rohan Khaunte,
Member of Legislative Assembly,
H.No. 1081, Plot No. 46,
Salvador Do Mundo,
B.B. Borkar Road, Alto Porvorim,
Porvorim-Bardez-Goa.

-----Complainant

v/s

1. The Under Secretary (Revenue),
Public Information Officer,
Secretariat, Alto, Porvorim,
Bardez-Goa.

2. The Deputy Collector (Revenue),
Office of the District Collector,
North Goa, Revenue Branch,
Collectorate Bldg, Panaji Goa.

-----Opponent

Shri Vishwas R. Satarkar - State Chief Information Commissioner

Filed on:-29/12/2020

Decided on: 27/10/2021

ORDER

1. That the Complainant, Shri. Rohan A. Khaunte, r/o H.No. 1081, Plot No. 46, Salvador Do Mundo, B.B. Borkar Road, Alto, Porvorim, Bardez-Goa vide application dated 23/09/2020 sought certain information under sec 6(1) of Right to Information Act, 2005 (hereinafter to be referred as 'Act') from the Public Information Officer, Under Secretary, Revenue, Secretariat, Alto Porvorim Goa.

2. PIO vide letter dated 29/09/2020 transferred the said application to PIO, Collector North Goa under sec 6(3) of the Act to provide the information.
3. The APIO, Dy. Collector (Revenue), North Goa by letter vide No. 31/1/2020/HC/RB/RTI/150/170 dated 14/10/2020 replied to the Complainant, that the information is not available in the records of public authority.
4. Not satisfied with the reply of PIO, Complainant preferred this complaint under section 18(1)(b) of the Act before this Commission and challenged that the PIO, Revenue Department and the PIO, Dy. Collector erred in transferring the RTI application and that information was in possession of Revenue Department, and therefore failed to furnish the information as sought by the Complainant.
5. Notice was issued to the parties, pursuant to which, Opponent No. 1, PIO, Celina Rodrigues, Section Officer, Revenue Department was present and filed her reply. Representative of Deputy Collector (Revenue), Panaji Goa appeared and filed reply of Opponent No 2, PIO on 20/09/2021.

Inspite of valid service of notice, the Complainant opted not to remain present before this Commission, therefore the present complaint is decided by hearing the opponents and on the basis of documents on record.

6. The Opponent No. 1, PIO through her reply submitted that, the Complainant sought information in respect of NOC/Approval/Permission or exemption issued with respect to the conversion of land for the proposed Goa International Airport at Mopa and he also sought for the inspection of the said file.

According to PIO, Opponent No. 1 on thorough search of the

file, located the file of Mopa Airport Project and by letter dated 15/01/2021, requested the Complainant to visit the office of PIO to inspect the file on any working day between 10:00 am to 12:30 pm and 3:00 pm to 5:00 pm for identifying the required documents.

7. Opponent No. 1 also submitted that apart from this, the Complainant, being the MLA obtained the information through a Legislative Assembly question in January 2021 from Goa Legislative Assembly.
8. According to Opponent No. 2, Deputy Collector (Rev)/ PIO, no conversion sanad has been issued by the Collector North to Goa International Airport at Mopa, Pernem, Goa in view of Notification No. 16/8/7/2018/REV-I issued by Under Secretary (Revenue-I), Government of Goa dated 05/03/2019.
9. Further according to him, by the said Notification operation of provision of sec 30,32,33 and 34 of Goa Land Revenue Code has been exempted for the purpose of construction of the said project, i.e. from obtaining of conversion sanad and, therefore the information sought was not available in the records. The reply also contained the copy of Official Gazette and Notification dated 05/03/2019 to support this submission.
10. In view of above, I find that Complainant failed to show any malafide on the part of Opponents, besides this there is no prayer clause to the complaint.

In view of the above circumstances, the present complaint is disposed. The proceeding stands closed. Pronounced in open court. Notify the Parties.

Sd/-

(Vishwas R. Satarkar)

State Chief Information Commissioner