

GOA STATE INFORMATION COMMISSION

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Appeal No. 05/2021/SCIC

Shri. Pedro Damiao Rodrigues,
H.No. 241, Dear Mansion,
Nr. Church Igreja Ward,
Chicalim Goa.

-----Appellant

v/s

1. The FAA, Mr. K. Ashok Kumar,
Mormugao Planning and Development Authority,
2nd Floor, Commerce Centre,
Vasco da Gama, Goa.

2. The PIO/ Mr. Ramesh Parsekar,
Mormugao Planning and Development Authority,
2nd Floor, Commerce Centre,
Vasco da Gama, Goa.

-----Respondents

Shri Vishwas Satarkar - State Chief Information Commissioner

Filed on:- 13/01/2021

Decided on: 14/10/2022

ORDER

1. The Appellant, Shri. Pedro Damiao Rodrigues, H.No. 241, Dear Mansion, Nr. Church Igreja Ward, Chicalim, Vasco da Gama, Goa by his application dated 25/08/2020 filed under section 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as Act) sought certain information from the Public Information Officer (PIO), Mormugao Planning and Development Authority, Vasco da Gama, Goa.
2. The said application was responded by the PIO on 03/09/2020, informing the Appellant that information sought for is not clear, as the Appellant did not mention reference number of land use map and land use register.

3. Dissatisfied with the reply of the PIO, the Appellant preferred first appeal before the Member Secretary, Mormugao Planning and Development Authority, Vasco da Gama, Goa being the First Appellate Authority (FAA).
4. According to the Appellant, since the FAA failed to hear the first appeal within stipulated time, he landed before the Commission with this second appeal under section 19(3) of the Act.
5. Parties were notified, pursuant to which Adv. Supriya Naik appeared and placed on record the reply of the PIO and the FAA dated 21/06/2021. Representative of the Appellant, Mr. Om D'Costa appeared and filed the Affidavit in re-joinder on behalf of Appellant and matter was posted for arguments.
6. During the course of arguments on 09/11/2021 the representative of the Appellant, Mr. Om D'Costa elaborated that, the information sought by the Appellant relates to the Land Use Map and Register referred to /relied upon in the preparation of the Outline Development Plan 2026 (ODP 2026).

Considering the nature of request and grounds under which the information is refused and on clarification of the parties, the Commission directed the PIO to furnish the copy of Outline Development Plan 2026 (ODP 2026) prepared by the public authority with the view to achieve the basic aim of the Act to furnish the information, without going to the merit of the appeal.

7. During the course of hearing on 26/04/2022, Adv. S. Korgaonkar, holding for Adv. S.Naik appeared on behalf of PIO/FAA and placed on record the copy of Outline Development Plan 2026 alongwith the covering letter dated 26/04/2022 and submitted that as per the direction of the Commission, he has produced the ODP Plan 2026 on the record.

8. The representative of the Appellant, Mr. Om D'Costa appeared on 09/05/2022 and collected the copy of ODP Plan 2026 and endorsed that he has received the information.
9. On next date of hearing on 17/05/2022, representative of the Appellant appeared and submitted that, the PIO provided only the part of the information. The Commission therefore directed Adv. Supriya Naik to locate the information and furnish the same to the Appellant on next date of hearing.
10. However, thereafter both the parties failed to appear for hearings viz 26/07/2022, 25/08/2022, 28/09/2022 and 14/10/2022 and did not show any interest in the proceeding. As the considerable time has elapsed, the Commission deems it appropriate to dispose the appeal without prolonging further.
11. In view of the fact that, Appellant has received the copy of Outline Development Plan 2026 and endorsement made by the representative of the Appellant that "Received for Appellant". I presume and hold that, the Appellant is satisfied with the information provided to him. Accordingly the matter is disposed off.
 - Proceedings closed.
 - Pronounced in the open court.
 - Notify the parties.

Sd/-
(Vishwas R. Satarkar)
State Chief Information Commissioner

