

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

E-mail: spio-gsic.goa@nic.in Website: www.scic.goa.gov.in

Appeal No.121/2024/SCIC

Shri. Shubham Sawant,
H. No. A-143, Sawant Wada,
Mandrem, Pernem,
North Goa 403527.

V/s

-----Appellant

1. The PIO/Office of Secretary Revenue,
Secretariat, Porvorim, Goa 403521.
2. The PIO/Directorate of Panchayats,
Myles High,Corporate Hub, Patto, Panaji, Goa.
3. The PIO/Office of the Collector, District Magistrate,
North Goa District, Civil Administration Branch,
Collectorate Bldg., Panaji, Goa.
4. The PIO/Office of the Collector, District Magistrate,
South Goa District, Collectorate Bldg.,Margao, Goa.
5. The PIO/Office of the Administrator of Comunidades,
North Zone, Mapusa, Goa.
6. The PIO/Office of the Administrator of Comunidades,
Central Zone, Near Church Square,Panaji, Goa.
7. The PIO/Directorate of Settlement and Land Records,
Panaji, Goa.
8. The PIO/Office of the Administrator of Comunidades,
South Zone, Margao, Goa.
9. Joint Secretary (Revenue), Government of Goa,
First Appellate Authority, For Revenue Dept., Government of Goa,
Room No. 004, 1st Floor,Secretariat, Porvorim, Goa.
10. Additional Collector III, Bardez Taluka,
First Appellate Authority,For Administrator of Comunidades (North Zone),
North Goa District, Mapusa, Bardez, Goa.

-----Respondents

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

Filed on :10/05/2024

Disposed on : 19/05/2026

Information sought and Background of the Appeal

1. Shri. Shubham Sawant filed an application dated 09/10/2023 under RTI Act, 2005 to the Revenue Secretary, Government of Goa

seeking '*certified copies of list of all the Comunidades within the State of Goa*'.

2. After receiving the list of Comunidades from the PIO (Section Officer/Revenue), Revenue Department, Secretariat, Appellant Shri. Shubham Sawant filed another RTI application dated 07/11/2023 to the SPIO, Revenue Secretary, Government of Goa seeking "*certified copies of the list of all the survey numbers belonging to the Comunidade within the State of Goa*".
3. On receipt of RTI application dated 07/11/2023, PIO (Section Officer/ Revenue-I), Revenue Department, Government of Goa transferred the application to the PIOs of the O/o. District Collectors of North Goa and South Goa, u/s 6(3) of the RTI Act, 2005 with the request to furnish the information directly to the Applicant under intimation.
4. Material available on record revealed that from the office of the Collector, North Goa District, RTI application dated 07/11/2023 of Shri. Shubham Sawant was transferred on 21/11/2023, u/s 6(3) of the RTI Act, 2005 through Dy. Collector to the Administrator of Comunidade, North Zone, Bardez and Central Zone, Panaji for further needful action.
5. On receipt of the RTI application (by transfer from Dy. Collector (LA)/ PIO, North Goa District), the Administrator of Comunidades, Central Zone, Panaji (Shri Pritidas U. Gaonkar) vide letter dated 11/12/2023 transferred the said RTI application to the PIO, Directorate of Settlement and Land Records, Panaji, Goa on the ground that the matter pertains to that office.
6. In a separate letter dated 11/12/2023, PIO and Administrator of Comunidades, North Zone, Mapusa informed the RTI applicant Shubham Sawant that till date, no information has been received from any Comunidade.

- 7.** On the other hand, PIO, O/o. the Administrator of Comunidade, South Zone, Margao vide letter dated 13/12/2023 transferred the RTI application of Shri. Shubham Sawant received on transfer to the offices of Mamlatdars at Salcete, Mormugao, Quepem, Sanguem and Canacona with a request to furnish the information directly to the RTI applicant under intimation.
- 8.** Subsequently, PIO/Mamlatdar of Sanguem vide letter dated 11/01/2024 intimated the RTI applicant to collect the copies of the list of all the survey numbers belonging to Comunidades in Sanguem Taluka, South Goa.
- 9.** PIO, O/o. Mamlatdar, Quepem, South Goa vide letter dated 15/02/2024 requested the RTI applicant to visit the office for clarification regarding information sought.
- 10.** PIO, O/o. Mamlatdar, Mormugao vide letter dated 15/01/2023 informed the RTI applicant to collect the sought information on any working days after making payment of necessary fees.
- 11.** Similar communications have been sent by the offices of Mamlatdar, Canacona (02/01/2023) and Salcete (09/01/2023) to the RTI applicant to visit their offices to check and collect the sought information after paying requisite fees.
- 12.** *Meanwhile, APIO and Inspector of Survey and Land Records, Panaji, Goa vide letter dated December 2023 informed the RTI applicant that the requisite details are in public domain i.e. <http://bhunaksha.goa.gov.in> and to refer to the said site.*

The said APIO further mentioned in the communication that an LAQ No. 104 on similar subject was tabled in Goa Legislative Assembly and the reply was given on 17/01/2023 in the Assembly.

- 13.** PIO, Directorate of Panchayats vide letter dated 29/12/2023 conveyed to the RTI applicant that information sought by him does not exist in the records of the Directorate of Panchayats.
- 14.** RTI applicant then filed first appeal dated 10/01/2024 before the First Appellate Authority, Jt. Secretary, Revenue, Government of Goa stating that the PIO failed to provide the requested information within the stipulated time period and has been using delaying techniques.
- 15.** Material available on record indicates that RTI applicant filed another first appeal dated 30/01/2024 before the First Appellate Authority (Additional Collector-III, North Goa District) stating that PIO/Administrator of Comunidades, North Goa has failed to provide the requested information within the stipulated time.
- 16.** In the first appeal dated 10/01/2024 of the Applicant, First Appellate Authority (Jt. Secretary/Revenue) vide order dated 12/02/2024 disposed of the first appeal with the direction to prefer first appeal before the notified First Appellate Authority against the concerned PIO holding information.
- 17.** Another first appeal filed by the Applicant before Additional Collector-III, North Goa District, Mapusa was rejected and dismissed vide order dated 01/03/2024 with the order as under-

"Since the Respondent PIO has already taken necessary steps to reply with information and also replied that there is no information available after various attempts of searching/communicating to Comunidade, they are not in position to provide the requested information".
- 18.** RTI Applicant later preferred second appeal dated 10/05/2024 before the Commission stating that survey numbers or land records of Comunidades is not personal information. Appellant prayed for direction to the Respondents to furnish the survey numbers of all the Comunidades in Goa to the Appellant through Respondent No. 01.

Appellant further prayed that if compilation of information is not available or possible, then furnish Form III and Form I and IV.

FACTS EMERGING IN COURSE OF HEARING

19. Pursuant to the filing of the present appeal by the Appellant, matter took up for hearing on 10/03/2025 for which Appellant, Respondent No. 01 (Section Officer, Revenue Department), Respondent No. 2 (Directorate of Panchayats), Respondent No. 3 (PIO, Collectorate, North), Respondent No. 6 (Secretary, Administrator of Comunidade, Central Zone, Panaji), Respondent No. 7 (Settlement of Land Records) and Respondent No. 8 (Acting PIO, Administrator of Comunidade South Zone, Margao) present.

20. During the proceedings, Respondent No. 2 (Directorate of Panchayats) requested the Presiding Commissioner to kindly exempt from the appeal on the ground that the information sought by the RTI applicant does not pertain or exist in the records of the Directorate of Panchayats.

21. Respondent No. 6 (Administrator of Comunidade, Central Zone, Panaji) and Respondent No. 7 (Directorate of Settlement and Land Records) also filed written submissions. Administrator of Comunidade, Central Zone, Panaji in written submission dated 10/03/2025 stated that the information sought is not maintained by the O/o. the Administrator of Comunidades, Central Zone and hence transferred the RTI application to the PIO, Directorate of Settlement and Land Records, Panaji vide letter dated 11/12/2023.

Submission further stated that the *Hon'ble High Court of Bombay at Goa in order dated 26th July 2024 in Writ Petition No. 1004 of 2017* clearly specified that the Comunidade is not a Public Authority and hence Comunidades are not coming under the ambit of RTI Act, 2005.

- 22.** Respondent No. 07 (Directorate of Settlement and Land Records, Panaji) stated that the sought information is available in public domain i.e. <http://bhunaksha.goa.gov.in>.
- 23.** Matter took up again for hearing on 24/04/2025 for which Appellant, Respondent No. 01, 03, 07 and 08 present.
- 24.** Acting PIO, O/o. Administrator of Comunidades, South Zone, Margao (Respondent No. 08) in the submission dated 24/04/2025 stated that the RTI application dated 07/11/2023 received on transfer from the Collectorate, South Goa was transferred to the offices of Mamlatdar in South Goa and Appellant in his Appeal memo mentioned (para 8) that offices of the Mamlatdars of Sanguem, Quepem, Canacona, Salcete and Mormugao have replied requesting the Appellant to check and collect the information.
- 25.** Respondent No. 01 (Department of Revenue) submitted that on receipt of the Appellant's RTI application, same has been transferred to the PIOs of the office of District Collector, North and South for furnishing information.
- The said application further transferred to the Administrator of Comunidades of North, Central and South Zone for necessary action. Respondent No. 01 further submitted that PIO (Department of Revenue) acted within the ambit and scope of RTI Act, 2025.
- 26.** Respondent No. 07 (Directorate of Settlement and Land Records) in the written submission stated that he has already replied to the Appellant vide letter dated 21/12/2023 that sought information is in public domain i.e. <http://bhunaksha.goa.gov.in> and hence present appeal be dismissed.
- 27.** Presiding Commissioner instructed to call Shri. Sanjeev Signapurkar, Awal Karkun, Pernem for the next date of hearing scheduled on 26/06/2025 to take his assistance in the issue pertaining to Pernem Taluka.

28. Matter took up again on 26/06/2025 for which Appellant present alongwith Adv. Seoula Vaz. Respondent No. 01 (Section Officer, Department of Revenue), Respondent No. 07 (DSLRL) and Shri. Sanjeev Signapurkar of the Office of the Mamlatdar, Pernem present. Respondent No. 07 requested for exemption from the appeal as the PIO has furnished whatever information available with DSLR. Shri. Sanjeev Signapurkar agreed to help the Appellant and asked the Appellant to visit the office of Mamlatdar, Pernem. Accepting the request of the Appellant's lawyer for a longer date, matter adjourned to 12/08/2025.

29. During the hearing on 12/08/2025, Shri. Sanjeev Signapurkar, Awal Karkun, O/o. Mamlatdar, Pernem orally submitted that some of the Comunidade land in Pernem Taluka have been identified and furnished the details to the Appellant. Presiding Commissioner directed to issue notices to the Administrators of Comunidades of North, South and Central Zone for their presence on the next date of hearing, 29/09/2025.

30. Appellant, Respondent No. 1 (O/o. Secretary, Revenue) and Respondent No. 6 (Comunidade of Central Zone) present for the hearing on 29/09/2025. Appellant submitted before the Presiding Commissioner that some of the Mamlatdars of South Goa District have been responded positively to his requirement.

Accordingly, Presiding Commissioner directed the Appellant to approach said Mamlatdars and file submission before the Commission after collecting information from them. Based on which, Commission will direct Collectors of North and South Districts for further action. Matter posted to 13/11/2025.

31. On 13/11/2025, Adv. Seoula Vaz present for Appellant but none present for Respondents. Adv. Vaz requested time to approach those Mamlatdars who have shown positive approach towards Appellant's request to collect information from them. Granting time sought by Appellant's lawyer, matter posted to 13/01/2026.

32. Matter called out for hearing on 13/01/2026 for which Adv. Mathew Colaco present for Appellant but none present for Respondents. Fixing the matter on 19/02/2026, Presiding Commissioner intimated Appellant's lawyer that matter will be disposed on the next date of hearing.

33. Appellant present for the hearing held on 19/02/2026 and requested for time to visit the offices of Mamlatdars in South Goa District to gather sought information from them. Appellant orally submitted that after collecting information from the Mamlatdars of South Goa, he will file submission before the Commission for necessary action/direction on the part of the Commission in the matter.

34. On 15/05/2026, Appellant filed an application for the compliance of order dated 28/10/2025 and an Affidavit.

In the application for compliance of order dated 28/10/2025, Appellant submitted that Mamlatdars of Ponda, Canacona, Sanguem, Dharbandora and Quepem Taluka in South Goa District have provided information with the Survey Numbers of Comunidade land. However, Mamlatdar of Salcete and Mormugao Taluka have not provided the information.

Appellant in his application prayed before the Commission for an appropriate order to Collector of South Goa to direct the Mamlatdars of Salcete and Mormugao to furnish data on the survey numbers of all Comunidade lands in their respective jurisdiction to the Appellant forthwith.

35. In his Affidavit dated 15/05/2026 filed before the Commission, Appellant stated that upon perusal of the information (data on survey numbers of Comunidade land) received from different Mamlatdars in the state, several irregularities were found in respect of entries in Form I and XIV pertaining to various properties such as wrong mentioning of occupant's name, non-inclusion of occupants, and wrong mentioning of the name of the property.

COMMISSION'S OBSERVATION

- i. On what ground RTI applicant can address Revenue Secretary, Government of Goa as State Public Information Officer (Ref. Appellant's RTI application dated 07/11/2023).
- ii. How an RTI applicant can use a kind of coercive language in the RTI application at an officer to the level of Revenue Secretary.
- iii. In the RTI application dated 07/11/2023 addressed to the Revenue Secretary as SPIO, Appellant stated that *"please provide the information on urgent priority failing which you will be penalised under Section 20 of the RTI Act, 2005"* which is tantamount to a kind of coercion or threat to the officer.
- iv. Under the RTI Act, 2005, the right to impose penalty on an erring PIO solely vests with the Central and State Information Commissions.
- v. Appellant cannot state that Mamlatdar of Mormugao Taluka, South Goa failed to provide the information.
- vi. Mamlatdar, Mormugao Taluka vide letter dated 16/02/2026 intimated the Appellant that "information pertaining to survey numbers belonging to the Comunidade within the jurisdiction of Mormugao Taluka is available on Dharni Dashboard software containing 206 pages", but the issue is that the Appellant is unwilling to pay Rs. 10,300/- specified by the Mamlatdar, Mormugao to collect information.

DECISION

Appreciating the efforts made by the Mamlatdars of Canacona, Sanguem, Quepem and Pernem Talukas and Shri. Sanjeev Signapurkar, Awal Karkun of the office of the Mamlatdar, Pernem to furnish information sought by the

Appellant, Commission decided to dispose the matter with the following directions to –

I. District Collector, North Goa

Direct the Mamlatdars of all talukas in North Goa District to furnish the information (Survey Numbers of Comunidade lands in their respective jurisdictions) to the Appellant within 21 days from the receipt of this order on the lines of information provided by Mamlatdars of Quepem, Sanguem and Canacona in South Goa District.

II. District Collector, South Goa

- i. Direct the Mamlatdar of Salcete Taluka, South Goa to furnish the sought information (survey numbers of Comunidade lands in Salcete Taluka) to the Appellant within 21 days from the receipt of this order.***
- ii. Since the office of the Mamlatdar, Mormugao Taluka is in possession of the sought information, direct the Mamlatdar, Mormugao to furnish the information to the Appellant within 21 days from the date of receipt of this order at the rate prescribed under the RTI Act, 2005 instead of an amount of Rs. 10,300 (i.e. Rs. 50/- per page to 206 pages).***
- iii. Direction to the Mamlatdar, Mormugao Taluka shall be issued within 10 days from the date of receipt of this order.***

III. Direction to District Collectors

- i. Since the Administrators of Comunidades of Central, North and South Zones in the State does not have any record or data on the Comunidade land, Commission is of the view that it is the high time to have a proper inventory on their land properties with the help of the offices respective Mamlatdars to create a proper data on Comunidade land for their record.***

- ii. Hence, District Collectors of North, South and Kushawati Districts are directed to task the Administrators of Comunidades in their respective jurisdiction to undertake an inventory of Comunidade land in the State on priority basis as the Administrators have no record in respect of Comunidade land in Goa and create a proper data in this regard.*

IV. To the Appellant

State Information Commission has no jurisdiction to intervene in the alleged irregularities in the entries in Form III, Form I and XIV of the Comunidade lands, he has noticed upon perusal of information received from few Mamlatdars and hence the Appellant is at liberty to take up this issue to the appropriate forum or court of law for redressal.

- Matter disposed.
- Proceeding stands closed.
- 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