GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001
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Appeal No. 61/2025/SCIC

Appeal No. 63/2025/SCIC

Appeal No. 65/2025/SCIC

Shri Gaurav Bakshi,
B-402, Martins Palm Fringe,
Cardozo Waddo, Taleigao,
Caranzalem-Goa. -----Appellant

V/s

1.The Public Information Officer,
Town & Country Planning Department,
2nd Floor, Dempo Towers, Panaji-Goa.

2.The First Appellate Authority,
Town & Country Planning Department,
2nd Floor, Dempo Towers, Panaji-Goa. ----Respondents

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

Relevant Facts Emerging from the Appeal.

RTI application filed on	-	28-10-2024
PIO replied on	-	07-11-2023
First Appeal filed on	-	21-11-2024
First Appellate order on	-	18-12-2024
Second appeal received on	-	26-02-2025
First hearing held on	-	28-04-2025
Decision of the Second Appeal on	-	28-04-2025

Information sought and background of the Appeal

1. Shri Gaurav Bakshi filed 03 applications dated 28/10/2024 under RTI Act, 2005 to the PIO, Town & Country Planning Department, Panaji seeking following information in respect of Pernem, Bardez and Tiswadi Talukas :

"All applications for change of zones u/s 17 (2) and u/s 39 (A) of Town & Country Planning Department Act along with the following accompanying documents:

a) Plans

b) Surveyors reports

c) Engineer reports

d) File Noting's

e) Site inspection reports of Town & Country Planning Department.

2. In response to the above mentioned 03 RTI applications, PIO-6 (Deputy Town Planner, Town & Country Planning Department/HQ) vide letter dated 07/11/2023 replied as under:

   "*As regard to information sought in your applications, the information cannot be made available since the information is voluminous and likely to disproportionately divert the resources of this public authority, as such information cannot be furnished. However, if you have any specific reference, you may provide the same so that information sought can be furnished to you at the earliest*."

3. Aggrieved by the reply received from the PIO, Appellant filed first appeal dated 21/11/2024 before the First Appellate Authority. Documents submitted along with the appeal by the Appellant reveals that a notice dated 09/12/2024 has been served to the Appellant by the FAA (Shri. Vinod Kumar Chandra, Town Planner) to attend the hearing in first appeal scheduled on 18/12/2024 but there is no document available with the present appeal on the decision taken and order passed by the FAA in the first appeal.

4. Thereafter, Appellant filed Second appeal dated 26/02/2025 before the Commission praying for direction to the Respondent PIO to furnish information sought vide RTI application dated 28/10/2024 and to initiate penal as well as disciplinary proceedings against Respondent PIO for denial of information.

Facts Emerging in Course of Hearing

5. Pursuant to the filing of the present appeals, parties were notified fixing the matter for hearing on 28/04/2025 for which the Appellant and the Respondent PIO appeared in person.

   Respondent PIO submitted that he has not denied information and since the information sought is voluminous, the public authority has to divert considerable amount of resources to prepare the information and if the Appellant give any specific reference, it will be easier for the Respondent PIO to provide information. At this moment, Appellant suggested that if the Respondent PIO provide the concerned files along with an officer of Town & Country Planning Department, he will take photocopies of the desired documents sought at his own expense but the Respondent PIO found to be

bit reluctant to handover the office files to the Appellant for the purpose of xeroxing the documents outside the office of the PIO.

DECISION

Since the Respondent PIO expressed his willingness to provide information and the Appellant agreed to bear the expenses meant for photocopying the documents sought by him under RTI Act, 2005, Commission directed the Respondent PIO to make arrangements to provide files in a phase manner to the Appellant to take photocopies of the document at his own expense in the presence/supervision of an officer detailed by the Respondent PIO.

With above direction to the parties to the present appeal, the matter is disposed off today i.e. 28/04/2025.

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.

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

Sd/-

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