

GOA STATE INFORMATION COMMISSION
"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001
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Appeal No.69/2025/SCIC

Ganpat Sidhaye,
H. No. 45, Matav wado,
Britona, Bardez-Goa 403101.

V/s

The Public Information Officer,
Land Acquisition Branch,
Collectorate North,
Panaji-Goa 403001.

-----Appellant

-----Respondent

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	- 02/11/2024
First Appeal filed on	- 11/12/2024
First Appellate order on	- 22/01/2025
Second appeal received on	- 13/03/2025
Decision of the Second Appeal on	- 13/08/2025

Information sought and background of the Appeal

1. Shri. Ganpat Sidhaye filed an application dated 28/10/2024 under RTI Act, 2005 to the PIO, O/o. The District Collector, North seeking information on following two points having 08 sub points together.
 - i. "Details of land acquired in North Goa under "policy procurement of land under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Settlement Act 2013 for direct procurement of land to setup Public Purpose Project on priority basis.
 - ii. As the policy is made under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Settlement Act 2013, all the clauses of the Act are applicable to the policy, kindly furnish information as per request given below and grant inspection.

- a. Purpose of the Land Acquisition giving specific reference to the provisions as given under Section 2, Sub Section 1 of the Act.*
- b. Social impact assessment study report as per Section 4 of the Act including notification under Sub Section 2 of Section 4 and information pertaining to Sub Section 5 and 6 of Section 4.*
- c. Notification and information as per Section 11 and Sub Section 1 and 2.*
- d. Information pertaining to the declaration of award of land Acquisition u/s. 37 of the Act.*

2. In response to the Appellant's RTI application, PIO/Land Acquisition Branch, Collectorate, North vide letter dated 02/11/2024 replied as under :

" With reference to your application dated 28/10/2024, it is to inform you that the information sought by you is available in this office. You are requested to attend this office and inspect the files on any working day during office hours."

3. As per the materials available with the present appeal, the Appellant inspected the records/files at the office of the PIO on 25/11/2024 and following this inspection, Appellant vide application dated 27/11/2024 addressed to the PIO, Land Acquisition Branch, Collectorate, North seeking information based on the inspection of files pertaining to 17 cases of procurement of land under policy on procurement of land under Policy Right to Fair Compensation and Transparency in Land Acquisition and Settlement Act, 2013."
4. Failing to receive any reply/information to the aforementioned application, Appellant preferred first appeal dated 11/12/2024 before the First Appellate Authority stating that based on his original RTI application dated 28/10/2024, he was allowed to inspect few documents on 25/11/2024 and subsequently vide application dated 27/11/2024 sought copies of few documents identified during the said inspection. Appellant submitted that inspection was allowed by the PIO after 20 days from the date of receipt of the RTI application and no information/documents sought is furnished till date.

5. FAA (Dy. Collector/L.A, North Goa District, Panaji) vide order dated 22/01/2025 directed the Respondent PIO that Appellant be allowed to inspect the file and documents asked by the Appellant to be given to him free of cost. The order however has no mention of time schedule to allow inspection and to furnish information to the Appellant.
6. Complying with the order passed by the FAA, Respondent PIO vide letter dated 07/02/2025 replied to the Appellant furnishing information pertaining to acquirement of land -
 - i. For construction of road for Electronic city in Tuem Village, Pernem Taluka.*
 - ii. For construction of approach road to bridge at Salvador do Mundo Village, Bardez Taluka and Chorao Village of Tiswadi taluka.*
 - iii. For Sewerage treatment plant for Porvorim and surrounding areas.*
7. Subsequently, Appellant approached the Commission with Second appeal dated 13/03/2025 stating that he has not received complete information sought vide application dated 28/10/2024.

FACTS EMERGING IN COURSE OF HEARING

8. Pursuant to the present appeal filed by the Appellant, parties were notified fixing the matter for hearing on 17/04/2025 for which Appellant and the Respondent PIO present. Directing the Respondent PIO to file reply to the appeal memo, matter fixed for further hearing on 30/04/2025.
9. When the matter called out for hearing on 30/04/2025, Respondent PIO filed written reply stating that -
 - i. The Appellant sought information vide application dated 28/10/2024 and accordingly Appellant was called for inspection of files on 25/11/2024.*
 - ii. Since PIO was changed, sought information could not provide but during the course of hearing in first appeal, information was provided free of cost.*
 - iii. With regard to the policy on procurement of land notified by the State Government, Collector of the concerned district delegates its power*

to the concerned officer depending on the territorial jurisdiction of the property proposed for acquisition.

- iv. Available information/documents were already provided to the appellant after inspection of records by the Appellant.
- v. RTI is not a mechanism to ask public authorities to generate information and it focuses solely on retrieving information that is already documented.

10. Matter was heard on three more occasions from 21/03/2025 to 08/07/2025 and during these hearings, Respondent PIO was directed to thoroughly search the records and furnish information as sought by the Appellant. Matter fixed for final hearing/argument on 13/08/2025.

11. When the matter took up for final hearing on 13/08/2025, Respondent PIO filed revised reply along with bunch of documents in respect of land acquisition for of three projects namely -

- i. Constructions of road for Electronic manufacturing cluster in Tuem Village of Pernem Taluka, North Goa.
- ii. Construction of approach road to bridge at Salvador Do Mundo Village in Bardez Taluka and Chorao Village of Tiswadi taluka in North Goa.
- iii. Construction of 20 MLD Sewage Treatment Plant in property bearing Survey No. 69/1,2 and 4 in Socorro Village, Bardez Taluka, North Goa.

The copies of documents furnished to the Appellant before the Commission on 13/08/2025 by the Respondent PIO along with the above said revised reply includes -

- i. Letter dated 04/07/2025 from the PIO/Goa State Infrastructure Development Corporation Ltd.
- ii. Letter dated 11/06/2025 issued by Dy. General Manager Sewerage and Infrastructure Development Corporation of Goa Limited (SIDCGL).

The letter specifically states that “in view of the urgency in matter and comply to deadlines set by Hon’ble High Court of Bombay at Goa, the construction of 20 MLD Sewage Treatment Plant was commenced immediately. Hence this office has not conducted any Social Impact Assessment Survey”.

DECISION

- i. **Commission is of the view that the Respondent PIO made all possible effort to gather information sought by the Appellant and accordingly furnished information available with the O/o. the Respondent PIO, Goa State Infrastructure Development Corporation Limited (GSIDC) and Sewerage and Infrastructure Development Corporation of Goa Ltd. (SIDCGL) to the Appellant.**

- ii. **However, taking into consideration of the information sought by the Appellant at Sub-Point No. 'c' and 'd' of Point No.2 of his RTI application dated 28/10/2024, Respondent PIO is directed to provide subject to the availability with the O/o. Respondent PIO, information/ copies in respect of (a) Notification and (b) Declaration of award, with regard to the land acquisition pertaining to the three (03) projects mentioned at Para No.10 of this order.**

If the information on above said two points (Sub Point No. 'c' and 'd' of Point No. 2 of RTI application dated 28/10/2024) is not available in the office of the Respondent PIO, same may be conveyed to the Appellant in writing.

- iii. **Since the Appellant made a written submission dated 13/08/2025 stating that documents furnished to him by the Respondent PIO before the Commission on 13/08/2025 are not certified by the PIO as required under the RTI Act, 2005 and requested to provide certified copies, Respondent PIO is hereby directed to certify the copies of the documents (other than detailed project report on Electronic Manufacturing Clusters, Tuem, Pernem Goa) furnished to the Appellant.**

- iv. **Respondent PIO is directed to comply with the above directions within 15 days from the date of receipt of this order and file compliance report to the Commission within 20 days from the date of receipt of this order.**

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