

GOA STATE INFORMATION COMMISSION
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Appeal No. 79/2025/SCIC

Shri Ganpat V. Sidhaye,
H. No. 45, Matawada,
Near Shambho Mahadev Temple,
Britona, Bardez-Goa 403101. -----Appellant
V/s

1.The Public Information Officer,
Office of Chief Conservator Forest,
Working Plan Division,
Goa Van Bhavan,
Altinho, Panaji-Goa 403001.
2.The Public Information Officer,
Office of the Dy. Conservator of Forest,
North Goa Division,
Ponda Goa 403401. ---Respondents

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

Relevant Facts Emerging from the Appeal

RTI application filed on	- 11/11/2024
PIO replied on	- 20/11/2024
First Appeal filed on	- 18/12/2024
First Appellate order on	- 06/02/2025
Second appeal received on	- 24/02/2025
Decision of the Second Appeal on	- 08/07/2025

Information sought and background of the Appeal

1. Shri. Ganpat V. Sidhaye filed an application dated 11/11/2024 under RTI Act, 2005 to the PIO, O/o the Dy. Conservator of Forests, Working Plan Division, Goa Van Bhavan seeking following information :
 - i. *"Inspection and issue of plans pertaining to private forest in Village Penha De Franca, Bardez Taluka identified by Sawant Karapurkar committee and notified by the Government in the Official Gazette Series II, No. 25 dated 22/09/2022.*
 - ii. *Inspection and issue of plans pertaining to private forest in Village Penha De Franca provisionally identified by Thomas Committee as private forest and accepted as qualified by Review Committee headed*

by Chief Conservator of Forest, Goa and notified vide dated 18/06/2020 in the part final reports uploaded on Forest Department site.

iii. Inspection and issue of parameters as recorded by field and office team of the review committee which were considered for deleting survey numbers pertaining to the private forest in Village Penha De Franca."

2. In response to the RTI application, PIO (Dy. Conservator of Forests, Working Plan Division, Panaji) vide letter dated 20/11/2024 replied to the Appellant as under :

<i>"Query No.1 -</i>	<i>Transferred to Dy. Conservator of Forest(N).</i>
<i>Query No.2 -</i>	<i>Review is in progress.</i>
<i>Query No.3 -</i>	<i>You may visit this office on any working days."</i>

3. With reference to the above said letter, Appellant visited the office of the PIO on 17/12/2024 and subsequently vide letter dated 18/12/2024 submitted Survey Numbers 46,110,114-116,133-135, 139-140, 146-147, 149-51, 181-184, 186-191 and 52 to provide information (inspection and issue of parameters).

4. Appellant then filed first appeal dated 06/02/2025 before the First Appellate Authority (Conservator of Forests) stating that when the Appellant visited the office of the Respondent No.1, he was asked to submit specific survey numbers on which information is required and accordingly a letter dated 18/12/2024 was submitted to the Respondent PIO specifying the survey numbers. According to Appellant after lot of pursuance, he was allowed inspection on 07/01/2025 and based on inspection, a letter dated 07/01/2025 submitted to the Respondent No.1 to issue certified copy of FSI data to the survey numbers pertaining to Penha De Franca Village. However, no information is provided till date. Respondent No.2 also not provided information. Appellant prayed before the FAA to direct Respondent No.1 and 2 to furnish necessary information.

5. FAA(Conservator of Forests) vide order dated 24/02/2024 directed Respondent No.1 (PIO/Dy. Conservator of Forests, Working Plan Division) to provide the relevant communication dated 31/01/2025 by today to Appellant and Respondent No.2 (PIO/Dy. Conservator of Forests, North Goa Division) to re-issue the notice to inspection by fixing a reasonable time limit.

6. It may be mentioned that the Respondent No.1 vide letter dated 30/01/2025(which is referred in the FAA's order) informed the Applicant as under :

"The Forest cover map has been prepared on composite basis by Forest Survey of India (FSI). As many survey numbers in the sought map is yet to be reviewed by the Review Committee, sought information cannot be provided in isolation for reviewed survey numbers alone as mother data layer is not available with this Department."

7. As per the material available before the Commission, copy of the Official Gazette, Government of Goa, Series No.25, dated 22nd September, 2022 containing details of Survey Numbers identified as private forests having an area of 46.11 sq. km and accepted by Hon'ble NGT vide order dated 18/08/2020 in original Application No. 479/2018 and copy of an interim report of Review Committee on Review of Private Forest Areas identified by North Goa and South Goa District Committee also attached with the present appeal by the Appellant.

8. Appellant the approached the Commission with Second appeal dated 26/03/2025 stating that information sought is about private forest and total 46.11 sq.km area is notified in the Official Gazette, Series II dated 22/09/2022. Survey Numbers pertaining to Penha De Franca are at Page 14. As the plans are already available with the department, the same should be issued to the Appellant. Appellant prayed before the Commission that Respondent be directed to provide necessary information without further delay.

Facts Emerging in Course of Hearing

9. Pursuant to the filing of the present appeal, parties were notified fixing the matter for hearing on 21/05/2025 for which Appellant and Respondent No.1 appeared in person but Respondent No.2 was represented by APIO and ACF, North Goa Division, Ponda. Respondent No.1 filed submission along with enclosures with an additional copy of the Appellant.

10. Representative of Respondent No.2 filed reply dated 20/12/2024 sent to the Appellant in response to the RTI application received on transfer from Respondent No.1 Presiding Commissioner directed the representative of the Respondent No.2 to provide inspection by the Appellant at the office of the Respondent No.2 on May 30, 2025.

11. Respondent No.1 in the written reply dated 21/05/2025 submitted that :
 - a. Inspection and issue of plans pertaining to private forest in Village Penha De Franca, Bardez Taluka identified by Sawant Karapurkar Committee are notified by the Government in the Gazette, Series II No.25 dated 22/09/2022.
 - b. Inspection and issue of plans pertaining to private forest in Village Penha De Franca provisionally identified by Thomas committee as private forest and accepted as qualified by review committee in their final reports uploaded on Forest Department site excluding area given in above para.
 - c. Upon verification and inspection of available records by the Appellant on 07/01/2025, further requested to provide Forest Survey of India data for survey numbers pertaining to Penha De Franca Village vide letter dated 07/01/2025.
 - d. The forest cover map has been prepared on composite basis by Forest Survey of India(FSI). Since many survey numbers in the sought map are yet to be reviewed by the review committee, the sought information cannot be provided in isolation for review survey number alone as mother data layer is not available with the Forest

Department. In addition, review work of private forest is still under examination.

- e. The FCM shared with the Forest Department, Goa is not available in public domain and is protected under the 'Intellectual Property Law' so the question of denying the information intentionally by Respondent 1 does not arise.

12. Respondent No.2 filed a copy of the latter dated 20/12/2024 replying to the Appellant as under :

"Since the information asked for is voluminous in nature, you may inspect the file on a convenient date and working hours by intimating the office in advance."

13. Matter was called out for hearing on 16/06/2025. Appellant filed written submission stating that FCM does not falls under the Intellectual Property Law and Forest Survey of India is a government entity and the data collected or prepared is by using public fund and public machinery. Hence cannot be denied unless the same falls under the 'secret' documents pertaining to the defence and interest of the country. Appellant further submitted that the Respondents have deleted and included private forest areas of the state on the basis of the criteria of areas and forest canopy density and the public has full right to know whether the exercise has been done properly or not.

14. Matter was called out for final hearing on 08/07/2025 for which Respondents and Appellant appeared in person.

Respondent No.1 (PIO, Dy. Conservator of Forest Working Plan Division) submitted that the information sought by the Appellant pertains to the Forest Survey of India(FSI) data. The information supplied to the Respondent by the FSI was on a confidential basis and hence Respondent is unable to unilaterally disclose it to the Appellant. Respondent further submitted that :

- i. The information sought by the Appellant specifically concerning survey numbers of Village Penha De Franca of Bardez taluka is an

integral part of the larger Forest Survey of India data for the state of Goa.

- ii. It is crucial to note that the review of private forest survey numbers provisionally identified by Thomas and Araujo Committees within the State of Goa is currently incomplete and under progress.
- iii. Since the Forest Survey of India has provided the Respondent with a comprehensive Forest Cover Image of Goa State, which in its current form due to the ongoing review process cannot be shared as a standalone or disaggregated piece of information without potentially compromising the ongoing survey and review.
- iv. The requested information cannot be provided by the Respondent at this juncture due to its confidential nature and ongoing review process. Hence the appropriate authority to address such a request would be the Public Information Officer, Forest Survey of India and the applicant is very well aware of the same.

DECISION

- i. **Besides written submission by the Appellant and Respondents to the present appeal, arguments held in detail on the information sought by the Appellant vide RTI application dated 11/11/2024. During the course of proceedings, Respondent No.1 (PIO,Dy. Conservator of Forest, Working Plan Division, Panaji, Goa) made it emphatically clear that the information sought by the Appellant pertains to the Forest Survey of India (FSI) data. Since the information sought by the Appellant is an integral part of the larger Forest Survey of India data for the State of Goa and the same cannot be provided to the Appellant by the Respondent at this juncture due to confidentiality of the sought data and the ongoing review process, there is no other option but to transfer the Appellant's original RTI application to the Public Information Officer, Forest Survey of India u/s 6(3) of the RTI Act, 2005.**

- ii. **The Respondent No.1 (PIO, Dy. Conservator Forest, Working Plan Division, Panaji, Goa) hereby directed to transfer the RTI application dated 11/11/2024 to the PIO, FSI, Dehradun within five days from the receipt of this order with a copy of the Appellant compliance report to the Commission accordingly.**

Matter disposed. Proceedings in the present Appeal No.79/2025/SCIC stands closed.

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