

GOA STATE INFORMATION COMMISSION
"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001
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Appeal No.89/2025/SCIC

Yogesh R,
Seagull Apartments,
Ground Floor, Gen. B.G Road,
Panaji-Goa 403001. -----Appellant
V/s

1. Public Information Officer,
North Goa Planning & Development Authority,
Shanta Bldg., Panaji-Goa 403001.
2. First Appellate Authority,
North Goa Planning & Development Authority,
Shanta Bldg., Panaji-Goa 403001. ----Respondents

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

Relevant facts Emerging from the Appeal

RTI application filed on	18/11/2024
PIO replied on	Nil
First Appeal filed on	14/01/2025
First Appellate order on	Nil
Second appeal received on	08/04/2025
Decided on	30/09/2025

Information Sought and background of the Appeal

1. Shri.Yogesh R. filed an RTI application dated 18/11/2024 to the PIO, North Goa Planning and Development Authority (NGPDA), Panaji seeking approved plan of the Skylark Apartments Co-operative Housing Society Ltd., Mahatma Gandhi Road, Chalta No.140-144, PT Sheet No.42, having Occupancy Certificate No.13/10/AD/23-24/C dated 13-04-1975.
2. Failing to receive any reply/information to his RTI application, Appellant filed first appeal dated 14/01/2025 before the First Appellate Authority stating that no reply/information furnished by the Respondent PIO to his RTI application dated 18/11/2024.

3. Material available with the Second appeal reveal that notice was served to the parties by the FAA fixing hearing in first appeal of the Appellant on 30/01/2025. However, there is no copy of the judgement/order of the FAA available with the present appeal.
4. Subsequently, Appellant preferred Second appeal dated 08/04/2025 before the Commission stating that Respondent PIO has not furnished any information to his RTI application and no decision/order in his first appeal received from the FAA. Appellant prayed for Penalty u/s.20(1) of the Act but not specified whether the Penalty is against Respondent No.1 or Respondent No.2 or both.

FACTS EMERGING IN COURSE OF HEARING

5. Pursuant to the filing of the present appeal, parties were notified fixing the matter for hearing on 12/06/2025 for which Appellant and Respondent absent. Adv. Sayeli Bandodkar present for Respondent and agreed to file reply to the appeal memo on the next date of hearing fixed on 16/07/2025.
6. On 16/07/2025, both Appellant and Respondent PIO absent. However Respondent PIO's lawyer Adv. Sayeli Bandodkar appeared and submitted that reply of Respondent PIO to the appeal memo will be filed on the next date of hearing. Matter adjourned to 07/08/2025.
7. Matter took up for final hearing on 11/09/2025 for which Appellant present but Respondent PIO absent. Adv. A. Khorjuekar, holding for Adv. Sayeli Bandodkar, Respondent PIO's lawyer present. Matter fixed for final argument/order on 30/09/2025.
8. Appellant present for the hearing on 11/09/2025. Respondent PIO was represented by Adv. A Khorjuekar, who is holding for Respondent PIO's counsel Adv. Sayeli Bandodkar. Taking a serious note on the casual approach of the Respondent, Commission decided to close the proceedings in the matter. However immediately after the closure of the proceedings, Respondent PIO through his lawyer filed written submission stating that :

- i. Pursuant to the receipt of the RTI application dated 18/11/2024 of the Appellant, Respondent PIO vide letter dated 16/12/2024 replied that file bearing No.PDA/R/1449 is not readily available in the record of the Authority but search is being made to trace the said file.
- ii. Since the information sought were Construction Licence as well as occupancy certificates issued by the then Panjim Municipal Council, said documents may be available with the City Corporation of Panaji.
- iii. Respondent PIO vide letter dated 16/05/2025 informed the Appellant that file bearing PDA/R/1449 is traced out from the record of the Authority but plan of any building is not available in the file and therefore Appellant was requested to visit the office of the Authority to inspect the said file on 23/05/2025.
- iv. Despite communicating, the Appellant did not visit the office to inspect the said file.
- v. Since the Respondent PIO carried out the responsibility and intimated about the status of the file as well as requesting to inspect the said file which traced later, Respondent PIO cannot be said to be deliberately and intentionally failed in providing information sought by the Appellant.

COMMISSION'S OBSERVATIONS

- i. Since the file referred by the Appellant is of the year 1975, there is all likelihood of missing, misplacing or getting destroyed.
- ii. As the licence No. 240/73 dated 14/09/1973 and Occupancy Certificate No.13/10/AD/73-74/C dated 13/04/1975 were issued by the then Panjim Municipal Council, Appellant can approach the City Corporation of Panaji seeking the desired information.

- iii. Since the Appellant claimed that he did not receive the said letter dated 16/12/2024 sent by the Respondent PIO, North Goa Planning and Development Authority to the Appellant as reply to his RTI application, **Respondent PIO should ensure that all such communication to the RTI applicants must sent by Registered Post with A.D.**

DECISION

- i. **Since the Respondent PIO submitted that his office could not trace the 50 years old file referred by the Appellant, Commission does not find any ground to continue proceedings in the present appeal.**
- ii. **However, Commission hereby directed the Appellant to inspect the file traced by the North Goa Planning and Development Authority, Panaji within 15 days from the receipt of this order and Respondent PIO should facilitate the inspection accordingly.**
- iii. **Appellant is directed to approach the City Corporation of Panaji (CCP) also, as the licence as well as the Occupancy Certificate to the building referred by the Appellant were issued by the then Panjim Municipal Council in 1973.**
- iv. **Submission dated 30/09/2025 filed by the Respondent PIO with enclosures should be provided to the Appellant along with this order.**
 - Proceeding stands closed.
 - Pronounced in open Court.
 - 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

