

GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

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Appeal No. 183/2024/SCIC

Mr. Anthony Lopes,
R/o. 234, Cobravaddo,
Calangute, Bardez,
Goa 403516.

.....Appellant

V/S

1.The Public Information Officer,
Village Panchayat of Calangute,
Bardez-Goa.

3.The First Appellate Authority,
Block Development Officer-II,
Mapusa, Bardez-Goa.

.....Respondents

Shri. Aravind Kumar H. Nair State Chief Information Commissioner

Filed on: 29/08/2024

Decided on: 05/02/2025

FACTS IN BRIEF

1. Mr. Anthony Lopes filed an RTI application dated 29/04/2024 to the PIO, Village Panchayat Calangute, Bardez Taluka seeking following information:-

- 1) Certified copies of documents attached while obtaining construction permission for property surveyed under Survey Number 236/10 in Cobravaddo, Calangute village.*
- 2) Certified copies of construction permission granted in property surveyed under Survey Number 236/10 by V.P. Calangute and certified copies of the meeting wherein permission for the said construction were taken up for consideration and deliberation.*
- 3) Certified copies of documents attached while obtaining construction permission for property surveyed under Survey Number 236/10-B in Cobravaddo, Calangute village.*

- 4) Certified copies of Construction permission granted in property surveyed under Survey Number 236/10-B by V.P. Calangute and certified copies of minutes of the meeting wherein permission for the said construction were taken up for consideration and deliberation.*
 - 5) Certified copies of documents attached while obtaining construction permission for property surveyed under Survey Number 231/14 in Cobravaddo, Calangute Village.*
 - 6) Certified copies of construction permission granted in property surveyed under Survey Number 231/14 by V.P. Calangute and certified copies of minutes of the meeting wherein permission for the said construction were taken up for consideration and deliberation.*
2. Since the PIO failed to provide the requested information, Appellant filed first appeal to the First Appellate Authority, B.D.O.- II Bardez, who vide order directed the PIO to give information as application dated 29/04/2024 within 15 days of passing this order.
 3. During the hearing in first appeal, Respondent PIO submitted that the first appeal is barred by limitations because RTI application was filed by the Appellant on 29/04/2024 and 30 days expired on 29/05/2024 but the appeal is filed in July 2024 after the period of more than 30 days and the Appellant has failed to provide reasonable grounds for delay in filing the appeal. However, FAA allowed the appeal and directed the PIO to furnish information within 15 days of the order.
 4. Aggrieved by not receiving the requisite information even after the order issued by the FAA, Appellant preferred second appeal before the Commission praying to impose heavy penalty on PIO for his failure to furnish information and dereliction of duty.
 5. Pursuant to the second appeal, parties were notified fixing the matter for hearing on 13/01/2025 wherein Appellant Shri. Anthony

Lopes was present in person and Adv. Swati Verlekar appeared on behalf of the PIO, Village Panchayat, Calangute Copy of the appeal memo duly furnished to the Advocate for PIO and the SCIC instructed the PIO to furnish information as requested by the Appellant.

6. When the matter taken up for hearing today (05/02/2025) Respondent PIO, Shri. Arjun Velip appeared alongwith his Advocate and Appellant was represented by his authorised person Mr. Reuben Franco.
7. Respondent PIO submitted that information was not denied deliberately but because of the difficulty in processing the application which is not specific about the requirement. The Appellant sought certified copies of documents attached while obtaining construction permission for properties in Survey No. 236/10, 236/10-B and 231/14 in Cobravaddo Village Panchayat, Calangute and the certified copies of the minutes of the Panchayat meeting wherein permission for the construction in the above said survey numbers. Respondent PIO submitted that without reference like name of the property owner and year of construction, it will be difficult to provide information solely based on survey numbers because there's likelihood of multiple construction in a same survey number.
8. PIO assured that if the Appellant furnish same reference like name of the property owner and year of construction, he will try to get the information from the records available in the Panchayat office or else Appellant can submit fresh RTI application along with above said details. At this point, the authorised person of the Appellant requested the Commission to issue an order directing the Appellant to provide some reference like name of the property owner and year of construction to the PIO to furnish the information and direct the PIO to furnish the information sought for vide RTI

application dated 29/04/2024 on receipt of the details like name of property owner and year of constructions.

DECISION

Based on the arguments placed before the Commission by the Respondent PIO and authorised person of the Appellant today i.e. 05/02/2025, Commission decided to dispose off the Appeal No. 183/2024/SCIC with following directions to furnish (by PIO) and receive (by the Appellant) information pertaining to the construction permission for properties in Survey Numbers 236/10, 236/10-B and 231/14, Cobravaddo, Calangute village and the minutes of the Panchayat meeting wherein permission granted for the said construction.

Appellant, Mr. Anthony Lopes is hereby directed to furnish some reference like name of the owner of the said properties in 03 different survey numbers and the year of construction in survey numbers mentioned in his RTI application.

Respondent PIO, Shri. Arjun Velip is directed to furnish information sought by the Appellant vide RTI application dated 29/04/2024 on receipt of the details / reference like owner of the property and year of construction in the above said three Survey Numbers viz. 236/10, 236/10-B, 231/14 of Cobravaddo, Calangute Village, Bardez Taluka, North-Goa.

By issuing the above directions, Appeal No. 183/2024/SCIC stands disposed.

- Pronounced in open court.**
- Notify the parties.**

Sd/-

(Aravind Kumar H. Nair)

State Chief Information Commissioner