

**GOA STATE INFORMATION COMMISSION**  
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa  
Tel No. 0832-2437880/2437208 email: [spio-gsic.goa@nic.in](mailto:spio-gsic.goa@nic.in)  
website: [www.gsic.goa.gov.in](http://www.gsic.goa.gov.in)

---

**Appeal No. 70/2025/SIC**

Shri. Ratnakar Govind Desai,  
H.No. 228, Askawada,  
Sy.No. 167/04/ Mandre,  
Pedne(N) Goa 403527.

.....Appellant

V/S

1.The Deputy Town Planner/ PIO,  
Department of Town and Country Planning,  
Pedne-Goa.

2. The Senior Town Planner/ FAA,  
Town and Country Planning Department,  
Government Building Complex,  
Mapusa-Goa.

.....Respondents

**Shri. Atmaram R. Barve**

State Information Commissioner

**Filed on: 13/03/2025**

**Decided on: 12/06/2025**

**ORDER**

1. The present second appeal arises out of the Right to Information (RTI) application dated 08/10/2024 made by Shri. Ratnakar G. Desai, Appellant herein and addressed to the Public Information Officer (PIO) at office of Town and Country Planning Department at Pernem Taluka. Wherein the Appellant herein had sought information pertaining to eight survey numbers in a pointwise manner as listed out in his application.
2. It is contended by the Appellant herein, that the PIO did not issue any communication to the said RTI application with stipulated time period of 30 days upon which the Appellant

had to preferred first appeal dated 20/11/2024 before the competent authority.

3. The First Appellate Authority has till date not decided the matter and as such the Appellant herein had to prefer second appeal before this authority by way of appeal memo dated 14/03/2025. Thereafter notices were issued and matter came up to be heard from 30/04/2025 onwards, wherein this Commission directed the PIO to file reply on or before 30/05/2025.
4. Shri. K. Ashok Kumar the concerned PIO filed his reply dated 28/05/2025 and brought on record the copy of the reply dated 15/10/2024 wherein it is within stipulated time period of 30 days and response was issued to the Appellant herein. However, the PIO also acknowledged the said response having being issued by way of normal postal communication and not by way of Registered A.D.
5. The PIO further brought on record copy of the Order passed by the FAA dated 30/01/2025, wherein the FAA disposed off the matter highlighting the discrepancies and shortcoming in RTI application filed by the Appellant herein. The said order also appears to be sent to the Appellant by way of normal postal communication and not by way of Registered A.D.
6. Advocate for Appellant reiterated that the Appellant is not in receipt of both the documents mentioned above and that non issuance of communication by Registered A.D. has caused denial of information towards the Appellant.
7. Upon perusal of appeal memo, reply of the Respondent and all other materials on records, this Commission is of the considered opinion as under:-

- a) The case made out by the Appellant herein prima-facie has merit for the simple reason that there is no material to suggest or prove that the said communication by the PIO as well as the FAA has been issued by Registered A.D. and that if the communications were sent in appropriate manner, then there would have been no reason for the Appellant to prefer either first appeal or second appeal respectively.
- b) At the same time, it is also expected from information seeker that the manner in which information is sought should not be cryptic or such that it would leave scope for interpretation for the PIO thereby causing prejudice to his own rights for seeking access to the desired information.
- c) The PIO as well as the FAA in general should be more careful while issuing responses under RTI Act and should ensure that communication under RTI Act are issued within stipulated time frame, appeals are disposed within reasonable time and responses as well as the orders are communicated to information seeker by way of Registered A.D. and not by way of normal postal delivery.
- d) It should have been the endeavour of the PIO to invite the information seeker for inspection of concerned documents within stipulated time frame so that it would save time and efforts of all concerned involved in this process.

8. Therefore, in the light of above the present second appeal is disposed off with following order:-

- a) The present second appeal is upheld.
- b) The PIO, Shri. K. Ashok Kumar is hereby directed to provide physical inspection of concerned documents or file as case may be to the Appellant herein on 30/06/2025 within working hours and thereafter provide certified copies of the specific documents identified by the Appellant on or before 10/07/2025.
- c) The PIO shall ensure on both dates specified above the process of inspection of documents as well as issuance of documents shall be minuted and signed so as to eradicate the factor of ambiguity and inconsistency.
- d) Registry to issue show cause notice to the said PIO seeking clarification as to why action should not be initiated against him in terms of Section 20(1) of the RTI Act, 2005 and the PIO shall ensure that he would remain present alongwith reply to the show cause notice and separate compliance report to the above directions on **17/07/2025 at 11.00 am**, failing which the penalty and disciplinary proceeding shall be initiated against him.
- No order as to cost.
  - Parties to be provided authenticated copies 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.

Sd/-

**(ATMARAM R. BARVE)**  
State Information Commissioner