

GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa
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Complaint No. 24/2024/SIC

N.D. Agarwal,
304-A, Suntek Kananka Corporate Park,
EDC Patto Plaza,
Panaji-Goa. 403001.

..... Complainant

V/s

1.Public Information Officer,
Dy. Town Planner,
Department of Town & Country Planning,
2nd Floor, Dempo Towers,
Patto Plaza, Panaji-Goa 403001.

2. The Public Information Officer,
North Goa Planning and Development Authority,
Shanta Building, 1st Floor, Next to Vivanta Hotel,
St. Inez, Panaji-Goa. 403001.

3. The Public Information Officer,
South Goa Planning and Development Authority,
4th Floor, D Wing, Osia Commercial Arcade,
Near SGPDA Market Complex,
Margao-Goa.

.....Opponents

Shri. Atmaram R. Barve

State Information Commissioner

Filed on: 28/10/2024
Disposed on: 28/10/2025

ORDER

1. The present complaint arises out of the Right to Information (RTI) application dated 05/08/2024 made by the Complainant herein Shri. N.D. Agarwal and addressed to the Public Information Officer (PIO) at Department of Town and Country Planning (TCP), Government of Goa.

2. In response to the said RTI application, the PIO-7 of Town and Country Planning Department transferred the said RTI application on 09/08/2024 to the PIO's at North Goa Planning Development Authority (NGPDA), Mormugao Planning and Development Authority and South Goa Planning Development Authority (SGPDA) respectively under Section 6(3) of the RTI Act.
3. The PIO at NGPDA issued pointwise reply dated 28/08/2024 to the Complainant herein, the PIO, Sanjivani Gaonkar at SGPDA issued reply dated 02/09/2024 to the Complainant herein asking him to collect relevant information upon the payment of Rs. 140/-. Further there is no material on record as to response of Mormugao Planning Development Authority.
4. Aggrieved by this reply, the Complainant herein filed complaint before this Commission vide complaint memo dated 25/10/2024.
5. Notices were issued and matter came up to be heard from 04/03/2025 onwards.
6. It has been the contention of the Complainant that, all the information sought by him in original RTI application ought to have been in the custody of TCP and same should have been furnished in normal course and that the PIO at TCP has deliberately transferred the said application to the PIO's referred above, who are actually agencies working under the aegis of said department. It is further contended by the Complainant herein that information provided by the agency referred above is either incomplete or irrelevant in context of his RTI application.

7. Vide reply dated 15/04/2025, the PIO at TCP contended that, the information sought in RTI application dated 05/08/2024 is not available in their office and that said information pertains to Planning and Development Authorities and hence the said application was transferred accordingly.
8. It has been the contention of Respondent No. 2 and 3 that whatever information available with them was furnished to the information seeker upon the said application being transferred to them by Respondent No. 1. However, in the ordinary course Respondent No. 1 ought to be duty bound to respond or not otherwise.
9. Upon perusal of complaint memo as well as submission made by all the parties, this Commission is of considered opinion as under:-
 - a. The RTI Act ,2005 has to be seen as Legislation that is aimed at empowering the citizen and bringing in factor of accountability and transparency in public administration.
 - b. The provision of transfer of application from one public authority to another public authority is also aimed at ultimately providing satisfactory information to the information seeker rather than shifting the own's among one another.
 - c. It is rightly pointed out by the advocate for the Complainant that, the PIO of TCP has to be the custodian of information pertaining to the said department and cannot wash its hand off by merely transferring the RTI application.

10. There is no material on record to suggest that, the PIO at TCP has made any efforts to provide pointwise reply to the information seeker.
11. Furthermore it has been observed time and again that while issuing responses under RTI, the PIO simply inscribe their signature and not their name, thereby making difficult for the information seeker as well as the Appellate Authority to fix the responsibility on relevant person who was applicable authority when the cause of action arose in any matter.
12. Therefore, in light of above, the present complaint is disposed off with following order:-
 - a. Contentions of the Complainant are upheld.
 - b. The PIO-7 of TCP is hereby directed to furnish all the relevant material sought by the Complainant herein vide RTI application dated 05/08/2025 on or before 27/11/2025, free of cost as also provide him inspection of relevant documents on same day and record the minutes of the proceedings and take acknowledgement from the information seeker upon completion of the exercise.
 - c. The said PIO-7 is hereby directed to file compliance report in terms of the above directions on or before 04/12/2025. Registry is directed to issue show cause notice to relevant PIO-7 of the TCP directing the same to remain present in person alongwith reply to show cause notice on **04/12/2025 at 11.00 am** seeking clarification as to why action should not be initiated under section 20(1) or 20(2) of the RTI Act, 2005; failing which penalty and disciplinary proceeding shall be initiated against the relevant PIO.

d. Government of Goa through its Chief Secretary is hereby directed to issue necessary directives to all the PIO in their ambit to compulsorily mention their name alongwith their signature while issuing any response or correspondence under RTI Act, 2005.

- No order as to cost.
- Parties to be provided authenticated copies of the 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