

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

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Appeal No.163/2026/SCIC

Smt. Shilpa S. Fadte
Shri Sameer S. Fadte
r/o. H. No. 851/13,
Town Planning Colony,
Alto Betim Road,
Alto Porvorim, Bardez Goa 403521.

V/s

-----Appellant

The Public Information Officer,
Village Panchayat Penha da Franca,
Britona, Bardez Goa 403101.

-----Respondent

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

Relevant Facts Emerging from the Appeal

RTI application filed on	19/12/2025
PIO replied on	21/01/2026
First Appeal filed on	29/01/2026
First Appellate order on	09/03/2026
Second appeal received on	23/04/2026
First hearing	18/02/2026
Decided on	29/06/2026

Information sought and background of the Appeal

1. Shri. Sameer Datta Fadte & Smt. Shilpa S. Fadte filed an application dated 19/12/2025 under RTI Act, 2005 to the PIO, Village Panchayat Penha da Franca seeking following information to six points in respect of House No. 851/6 in the name of Mr. Jayanand S. Naik, R/o. Town Planning Colony, Alto Betim Road, V.P. Penha da Franca, Bardez Goa.
2. In response to the RTI application, PIO/V.P. Penha da Franca vide letter dated 21/01/2026 replied that "a search has been made in through Panchayat records and the construction file vide ref. No. VP/PDF/7/89-90 dated 24-04-1989 issued in the name of Mr. J.S. Naik is not traceable.

However, I am to enclose certified copy of construction Licence Register and copy of House Tax Receipt of H. No. 851/6".

3. Subsequently, being aggrieved by the reply received from the PIO, Appellant filed first appeal dated 29/01/2026 before the First Appellate Authority (Dy. Director of Panchayats/North, Panaji).

4. First Appellate Authority (BDO-II, Mapusa) vide order dated 09/03/2026 directed the Respondent PIO *"to allow the Appellant's inspection of the Construction Register, Tax Assessment Register and Inward/Outward registers on a mutually fixed date within 10 days from the date of order"*.

Simultaneously, PIO shall make efforts to retrieve copies of documents as requested by the Appellant's in Point No. 1, 2 & 3 issued by respective competitive authorities".

5. Respondent PIO vide letter dated 12/03/2026 intimated the Appellant's that the construction file belonging to Shri J.S. Naik which was previously declared "Non traceable" has now been found during the course of searching another file and requested the Appellants to remain present at V.P. Penha da Franca on 16/03/2026 at 3.00 p.m. for inspection of records.

6. Upon the physical inspection of records by the Appellant, Respondent PIO vide letter dated 08/04/2026 furnished certified copy of building plan along with other documents, with specific mentioning that occupancy certificate could not be traced and no entry found in the name of Shri Jayanand S. Naik pertaining to issue of license for repair of H. No. 851/6.

7. Thereafter, Appellant filed second appeal dated 23/04/2026 before the Commission stating that Respondent PIO furnished only part information to Point No. 3 of the RTI application dated 19/12/2025 and no information (occupancy certificate) furnished to Point No. 4 of the RTI

application. Appellant prayed before the Commission to direct the Respondent PIO to furnish part information in respect of Point No. 3 and sought information alongwith Point No. 4 of the RTI application.

FACTS EMERGING IN COURSE OF HEARING

8. Pursuant to the filing of present appeal, first hearing in the matter held on 10/06/2026 for which Respondent PIO present but appellant absent. Respondent PIO filed written submission with an additional copy to the appellant. Matter posted on 29/06/2026.
9. Appellant Shri Sameer Phadte and Respondent PIO, Shri present for the hearing held on 29/06/2026. Appellant filed written submission in which he stated that Respondent PIO has still not provided the part information and no information (occupancy certificate) till date as regards to Point No. 4 of the RTI application.
10. During the course of hearing, present PIO orally submitted that appellant was allowed to physically inspect the records of 1991 pertaining to the Appellant's original RTI application and subsequently application pertaining to records of 2018 and upon inspection all available information in accordance to the original RTI application has been furnished to the Appellant.
 Present PIO further submitted orally that the completion certificate (part information sought by the Appellant at Point No. 3 of the RTI application) is to be issued by the Town & Country Planning Department and the copy of the same, if available in the panchayat records, will be furnished to the Appellant.
 With regard to the occupancy certificate sought at Point No. 4 of the RTI application, PIO submitted that despite all efforts, said document could not be traced but issue of said occupancy certificate has mentioned in the outward register of the panchayat.

DECISION

Upon perusal of the present appeal, reply dated 29/06/2026 of the Appellant and oral submission of the Appellant and the present PIO, Presiding Commissioner decided to dispose the matter with the following directions to the present PIO to execute within 7 days from the receipt of the order :

- i. Furnish copy of the completion certificate issued by the Town & Country Planning Department, if available, in the panchayat records and to the appellant (with regards to point No. 3 of the RTI application).**

- ii. If the occupancy certificate (pertaining to the year 1991 and 2018) are available, provide copy of the same to the Appellant and if not available in the panchayat records, even after a diligent search, inform the same fact in writing to the Appellant.**

- iii. As an alternate efforts to procure the occupancy certificate sought by the appellant at point No. 4 of the RTI application, present PIO shall write a letter to the North Goa Planning & Development Agency, Panaji requesting a copy of the said occupancy certificate in order to provide to the appellant.**
 - Proceedings stand 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

