

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Appeal No. 26/SIC/2010

Shri Dnyaneshwar Pundalik Sawant,
H. No. 384, Virlosa,
Penha de Franca,
Bardez – Goa

... Appellant.

V/s.

1) Public Information Officer,
North Goa District Office (NGDO),
Town & Country Planning Department,
Mapusa – Goa

... Respondent No. 1

2) First Appellate Authority,
Chief Town Planner,
Town & Country Planning Department,
Government of Goa,
Panaji – Goa

... Respondent No. 2.

Appellant absent.

Respondent No. 1 in person.

16.06.2010

ORDER

By request dated 24.11.2009 the Appellant sought the following information under RTI Act:

1) Whether any development permission under section 44 of the Town and Country Planning Act, 1975, was obtained by Shri Gopal Kashinath Sawant for carrying construction (Development) surveyed under No. 41/10 of revenue village Penha de Franca?

2) Whether any permission under section 44 of the Town and Country Planning Act, 1975, was obtained by Shri Gopal Kashinath Sawant for carrying construction (Development) surveyed under No. 43/1 of revenue village Penha de Franca?

2. The Respondent No. 1 by communication dated 7.12.2009 informed the Appellant that development permission

...2/-

u/s. 44 of Town and Country Planning Act, 1974 is issued by the Planning Development Authority and that the village under reference was within the jurisdiction of Planning and Development Authority for certain period and that Town and Country Planning Department issues NOCs from planning angle to the application forwarded by the Village Panchayat. In all fairness the Respondent No. 1 required from the Appellant the reference number of the permission or file number so that the files could be located from the Planning Development Authority.

3. Since it is contended by the Respondent No. 1 that the NOCs are issued from the planning point of view on the application forwarded by the Village Panchayat and the information sought is in respect of Village Panchayat of Penha de Franca of Survey No. 41/20 and 43/1, the proper course would be that the Respondent No. 1 to transfer within the period of five days from the date of receipt of this Order the information sought by the Appellant on 24.11.2009 to the Public Information Officer – Secretary, Village Panchayat, Penha de Franca and direct the said Public Information Officer to provide information directly to the Appellant.

With these observations the Appeal is disposed off.

Sd/-
(Afonso Araujo)
State Information Commissioner

