

**GOA STATE INFORMATION COMMISSION  
AT PANAJI**

**CORAM:** Shri Afonso Araujo, State Information Commissioner

**Appeal No. 289/2008**

Mr. Rajaram S. Sawant,  
C/o. K.P.Digde, Fla No. 1,  
Colaco Building, Mangor Hill,  
Vasco-da-Gama

... Appellant.

V/s.

1) The First Appellate Authority,  
The Chief Town Planner,  
Town & Country Planning Department,  
2<sup>nd</sup> Floor, Dempo Towers,  
Patto, Panaji – Goa

... Respondent No. 1.

2) The Public Information Officer,  
North Goa Planning Development Authority,  
Archdiocese Building, 1<sup>st</sup> Floor,  
Mala Link Road,  
Mala, Panaji – Goa

... Respondent No. 2

Appellant alongwith Adv. A. Naik  
Respondent No. 2 absent.

**JUDGMENT**

(Per Afonso Araujo)

The entire information sought under the Right to Information Act, 2005 (for short, the RTI Act) by the Appellant in the request dated 07.08.2009 can be arranged in three queries:

1) Which are the areas in the new Outline Development Plan (ODP), Panjim, the Floor Area Ratio (FAR) has been changed from C-2 to C-1 (150% FAR to 200% FAR) as per the ODP finalized recently.

(2) Furnish Chalta No./P.T. sheet No./Survey No., what is the area and who is the owner of the said plot and what are the grounds/basis for changing the said zone from C-2 to C-1 in the new ODP, Panjim.

(3) Similar details of areas where the zone has not been changed for which the owners of the said areas have requested for change of zone and reasons for not changing inspite of request from the said owners.

...2/-

2. This request dated 07.08.2008 was addressed to the Town & Country Planning Department and in turn on 14.08.2008 transferred to the Respondent No. 2. By communication dated 15.09.2008 the Respondent No. 2 provided the information stating that the ODP, Panjim 2011 is in the process of finalization and it is not a final documents and cannot be released at this stage. Not content with this reply the Appellant preferred the First Appeal and by order dated 17.11.2008 the First Appellate Authority, i.e. Respondent No. 1 upheld the decision of the Respondent No. 2 and dismissed the appeal. Hence, this Second Appeal.

3. The request for information sought consists in the Appellant requiring to know which are the areas in the new ODP wherein the FAR has been changed from C-2 to C-1. The Respondent No. 2 declined to provide this information on the strength that the ODP is yet not finalized. For the purpose of the RTI Act it is immaterial whether the information sought still has to reach its concluding stage. As long as the information sought is from the records the Respondent must provide to the Appellant the required information. Moreover the ODP is open for public scrutiny for objections/suggestions on the ODP. The query at Sr. No. 2 the Appellant requires to know the Chalta No./P.T. Sheet No./Survey No. and at query No. 3 the Appellant requires the details of areas where there is zone change. This information is vague and not specific and the Respondent No. 2 need not provide this information. Suffice the Respondent No. 2 provides the Appellant with information at Sr. No. 1 regarding the areas of the new ODP. Hence, the following order:

### **ORDER**

The appeal is partly allowed. The Respondent No. 2 to provide the information regarding areas in the new ODP of Panjim wherein FAR has been changed from C-2 to C-1 (150% FAR to 200% FAR).

:: 3 ::

This information to be provided within twenty days from the date of receipt of this order and report compliance on 16.02.2010.

Pronounced on this 21<sup>st</sup> day of January 2010.

Sd/-  
**(Afonso Araujo)**  
**State Information Commissioner**