

GOA STATE INFORMATION COMMISSION

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

E-mail: spio-gsic.goa@nic.in Website: www.scic.goa.gov.in

Appeal No. 113/2025/SCIC

Swapnesh Sherlekar,
H.No.284, Shivolkarwada,
Mulgao, Bicholim-Goa 403503.

-----Appellant

V/s

1.The Public Information Officer,
Joint Civil Registrar Cum Sub Registrar,
Bardez Taluka, Mapusa, Bardez, Goa.

2.The First Appellate Authority,
North Goa District Registrar,
4th Floor 4th Junta House, Panaji-Goa.

-----Respondents

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

Relevant Facts Emerging from the Appeal

RTI application filed on	- 11/12/2024
PIO replied on	- NIL
First Appeal filed on	- 21/01/2025
First Appellate order on	- 27/02/2025
Second appeal received on	- 28/04/2025
Decision of the Second Appeal on	- 23/07/2025

Information sought and background of the Appeal

1. Shri. Swapnesh Sherlekar filed an application dated 11/12/2024 under RTI Act, 2005 to the PIO, O/o the Civil Registrar Cum Sub Registrar, Bardez, Mapusa seeking following information in respect of Deed of Sale bearing Registration No.BRZ-1-3319-2024:
 - i. "Pre-Registration Number of the said Deed of Sale.
 - ii. Certified copy of the Observation Deed.
 - iii. Certified copy of all Documents uploaded along with Observation Deed.
 - iv. Certified copy of the Sub-Registrar's comment's along with the date of Approval for the Deed of Sale.
 - v. The date on which the Pre-Registration Number was generated/Observation Deed was uploaded."

2. In response to the RTI application, PIO (Joint Civil Registrar-Cum-Sub Registrar, Bardez-II) vide letter dated 07/01/2025 transferred the RTI application to the Help desk, NIC Pune stating that *"the information sought by the Applicant pertains to your office and to provide the desired information directly to the Appellant"*, PIO marked a copy of this letter to the RTI Applicant also.
3. Failing to receive any reply/information from the PIO within the stipulated time period under the Act, Appellant filed first appeal dated 21/01/2025 before the First Appellate Authority (District Registrar, North) stating that till date, PIO has not provided any information to his RTI application. Appellant prayed before the FAA to direct the PIO to provide the information, free of cost, as early as possible.
4. After hearing the matter on 27/02/2025, FAA vide order dated 27/02/2025 *"directed the Respondent PIO to give reply to the RTI application within a period of three weeks from today."*
5. Subsequently, Appellant preferred Second appeal dated 28/04/2025 before the Commission stating that his RTI application dated 11/12/2024 was not responded by the PIO and thereafter inspite of the FAA's order dated 27/02/2025, Respondent PIO failed to furnish the information which does not fall within the purview of Section 8 or 9 of the RTI Act.
6. Appellant prayed before the Commission that Respondent No.1 (PIO) be directed to furnish the information, impose penalty and recommend disciplinary proceedings against the Respondent No.1 (PIO) for failing to furnish information and to comply with the order of the FAA.

Facts Emerging in Course of Hearing

7. Pursuant to the present appeal filed by the Appellant, parties were notified fixing the matter for hearing on 27/05/2025 for which Appellant present in person but Respondent PIO absent. However, Registry of the Commission received an email dated 27/05/2025 from the Respondent PIO that since

she resumed duty on 27/05/2025 only after leave, she will be unable to attend the hearing of the day.

Presiding Commissioner instructed the Registry to issue notice to the Respondent PIO to file reply/submission in respect of the order passed by the FAA dated 27/02/2025 before the next date of hearing with an advance copy to the Appellant. Matter fixed for further hearing on 09/06/2025.

8. When the matter called out for hearing on 09/06/2025, present PIO and Respondent No.1 Shri. Piedade Dias filed written reply containing point-wise reply to the Appellant's RTI application supported by few documents with respect to the Deed of Sale bearing Registration No. BR2-1-3319- 2024.
9. Matter again took up for hearing on 23/07/2025 for which Appellant, PIO and Joint Civil Registrar Cum Sub Registrar present in person. With reference to the written reply supported by few documents filed before the Commission by the PIO on 09/06/2025, Appellant submitted that PIO has not furnished the information sought at Point No.2,3 and 5 viz. -
 - i. Certified copy of observation Deed (Point No.2).*
 - ii. Certified copy of all documents uploaded along with observation Deed (Point No.3).*
 - iii. Dates on which the Pre-Registration Number was generated and Observation Deed was uploaded.*
10. Sub-Registrar, Bardez Shri. RisheekNaik submitted that the sought information is not held by his office and once the registration process of the property started the above said information will be with National Informatics Centre (NIC) only.
- 11. Since the above said information sought by the Appellant is not of sensitive in nature and does not falls under the purview of the exempted clause under the RTI Act, Commission directed the Respondent PIO and the public authority in the present Appeal (O/o. Joint Civil Registrar Cum Sub Registrar to obtain the same from the NIC and provide to the Appellant.**

DECISION

With the above direction to the Respondent PIO/office of the PIO, Commission disposed off the matter. Compliance report should reach the Commission by 25th August 2025.

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.

- Proceeding stands closed.
- Pronounced in open Court.
- Notify the parties.

Sd/-

(ARAVIND KUMAR H. NAIR)
State Chief Information Commissioner, GSIC