



Sonam

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 113 OF 2026

Shri. Narayan Suresh Pai,
S/o Suresh N. Pai,
43 years of age,
Unemployed,
R/o Deulwada, Arambol,
Pernem, Goa.

... Petitioner

Versus

1. Ms. Vinita V. Kambli,
Public Information Officer (PIO),
Inspector of Survey and Land Records,
Pernem-Goa.

2. Inspector of Survey and Land Records,
Public Information Officer (PIO),
M/s Vinita V. Kambli,
Pernem-Goa.

(Amendment carried out

as per order dated 18.09.2025)

... Respondents

Mr. Vishal Sawant, Advocate for the Petitioner.

Mr. Geetesh Shetye, Additional Government Advocate for
Respondent No. 2.

CORAM:- VALMIKI MENEZES, J.

DATED :- 13th FEBRUARY, 2026

ORAL JUDGMENT:

1. Registry to waive office objections and register the matter.

2. Heard learned Advocates for the parties.

3. Rule. Rule is made returnable forthwith; at the request of and with the consent of learned Advocates for the parties, the matter is finally heard and disposed of. Learned Advocate Mr. Vishal Sawant appears on behalf of the Petitioners, learned Additional Government Advocate Mr. Geetesh Shetye waives service on behalf of the Respondent No. 1.

4. This petition assails order dated 09.12.2024 passed by the State Information Commission, by which the Petitioner's Appeal under the Right to Information Act, 2005 (RTI) has been dismissed.

5. On going through the impugned order, the same is required to be quashed and set aside, and a direction has to be issued to the Public Information Officer for more than one reason.

6. The Petitioner has applied for certain information from the Inspector of Survey and Land Records (ISLR), Pernem, through an application dated 01.09.2023. The application is very clear and seeks the following information:

1. Certified copies of Demarcation Reports and plans carried out since 01.01.2023 till date by this office at Pernem, Goa.
2. Certified copies of file noting done with regards to Demarcation Reports and plans carried out since 01.01.2023 till date.
3. Certified copies of order passed by Inspector of Survey and Land Records, Pernem from 01.01.2023 till date.

There can be no manner of doubting that the information sought was specific and ought to have been maintained in digital form by the concerned public authority i.e. ISLR, Pernem. Sub Section 2 of Section 4 of the RTI Act, mandates that every public authority shall maintain all its records under the catalogue and index, in the manner and form such that it facilitates the citizens to obtain the information easily; mandate of Sub Section 2 of this provision requires the public authority to constantly endeavour to take steps in accordance with requirement of Sub Section 1 thereon, provide as much information suo moto to the public through various modes of communication including internet. This provision specifies the object of the legislation i.e. to ensure that the public has minimum resort to the RTI Act, and the public can access information without having to pay for the same through the

medium of the internet. Obviously, there is a failure on the part of the ISLR, Pernem, which is the public authority who is required to maintain all its information in the digitized form and accessible to the public over the internet.

7. It is in this background that the Petitioner was left with no choice but to file an application under Section 6 of the Act, which is very specific. Under Sub Section 1 of Section 7, the PIO is required to take a decision as to whether the information is to be granted or not within thirty days of the application. The application in the present case was made on 01.09.2023 and till 30.09.2023, there was no decision taken by the PIO to grant the information.

Instead, the PIO chose to write through communication, which does not specify the date, but, as claimed by the PIO, to be on 30.09.2023, which was received by the Petitioner on 05.10.2023.

8. Perusal of this communication reveals that the PIO has not recorded the decision as mandated by Sub Section 1 of Section 7, but has requested the Petitioner to attend the office of the PIO and inspect the record available at the office and obtain a certified copy of the documents on the payment of the fees. It is not a decision under Sub Section 1 of Section 7 of the Act, instead it is only requesting the Petitioner to identify the

documents required by him, when the application itself was very clear and specific, referring to documents such as the Demarcation Report and the Demarcation Order relating to the specified period. Clearly, there was no compliance with the mandate of Section 7 on the part of the PIO.

9. It appears from the record that, realising this position, the PIO would write another letter, dated 21.11.2023, to the Petitioner, when the Petitioner actually visited the PIO's office and after direction was issued to the PIO by the First Appellate Authority on 09.11.2023 to collect the information on payment of charges. By this communication, it becomes clear that the PIO has in fact, informed the Petitioner of the decision to give the information after the mandate of thirty days, which would entitle the Petitioner to receive this information under Sub Section 6, Section 7, free of charge.

10. Considering that there was no compliance by the PIO with the provision of Sub Section 1 of Section 7, on the decision to be communicated within thirty days, the Petitioner shall now be entitled to get the information sought by him free of charge. For this reason, the impugned order dated 19.12.2023 is hereby quashed and set aside, being contrary to the aforementioned provision of RTI Act. Accordingly, rule is made absolute in terms of prayer clause (a) of the petition and the PIO i.e. ISLR

shall furnish to the Petitioner all the information sought in his application dated 01.09.2023, within a period of one week from this order. The printed copy of this order shall be communicated to the PIO forthwith for the PIO to act upon the same.

11. The petition stands disposed of.

VALMIKI MENEZES, J.