

**GOA STATE INFORMATION COMMISSION**  
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa

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**Appeal No. 171/2021/SCIC**

Savio Brito,  
H.No. P/10, Portais,  
Reis Magos,  
Bardez-Goa. 403114.

.....Appellant

V/S

The Public Information Officer,  
Assistant Director of Agriculture (P&E),  
Directorate of Agriculture,  
Krishi Bahava, Tonca,  
Caranzalem, Goa.

.....Respondent

**Shri. Vishwas R. Satarkar**

State Chief Information Commissioner

**Filed on: 30/07/2021**

**Decided on: 11/01/2022**

**FACTS IN BRIEF**

1. The Appellant, Savio Brito, R/o. H.No. P/10, Portais, Reis Magos, Bardez-Goa, by his application dated 01/02/2021 filed under sec 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought information with reference to Re-construction of sluice gate at Marra, Pilerne Bardez, Goa from the Public Information Officer (PIO), Soil Conservation Division, Directorate of Agriculture, Caranzalem, Goa.
2. The said application was transferred by the PIO on 02/02/2021 to the concerned officer under sec 5(4) of the Act, and was accordingly replied by the Executive Engineer on 17/02/2021 directing the Appellant to collect the information by paying the requisite fee.
3. Not satisfied with the information provided by the PIO, the Appellant filed first appeal before Director of Agriculture, Krishi

Bhavan, Caranzalem, Goa under sec 19(1) of the Act being the First Appellate Authority (FAA).

4. The FAA by its order dated 19/05/2021 partly allowed the appeal and directed the PIO to give pointwise clarification to the Appellant.
5. Being aggrieved with the order of FAA, the Appellant preferred this second appeal before the Commission under sec 19(3) of the Act.
6. Notice was issued to the parties, pursuant to which PIO, Asst. Director of Agriculture, Shri. Nitin Bakhale appeared alongwith deemed PIO, Shri. Dattanand Kamat and filed his reply on 09/09/2021 alongwith the bunch of documents.
7. Perused the pleadings, reply and scrutinised the documents on record.
8. On going through the pleadings, it is revealed that, Appellant landed before this Commission on being aggrieved with the order passed by FAA dated 19/05/2021 however he did not join FAA as a party to the proceeding.
9. It is admitted fact that, the Appellant received information on 24/02/2021, which was duly endorsed by him, thereafter he also admitted this fact in his rejoinder dated 11/11/2021, but his grievance is regarding identical/extra copies furnished and charged for excess amount while furnishing the information.
10. The FAA by its order dated 19/05/2021 directed the PIO to obtain pointwise clarification from Executive Engineer, Soil Conservation Division of Directorate of Agriculture. The PIO vide letter No. 1/RTI/Apl.Proc/SB-08/2021-22/D.Agri/113 dated 04/06/2021 complied with the order of FAA and issued pointwise clarification to the Appellant received from Executive Engineer, Soil Conservation Division.

11. On going through pointwise clarification issued by H.M. Rangaraji, Executive Engineer dated 17/05/2021 as Annexure I and II, I do not find any force in the argument of Appellant that he is furnished identical copies and charged extra for the same.
12. Since the Appellant failed to produce anything on record to show that PIO acted malafidly or intentionally charged more fees, I do not find any dishonesty on the part of PIO.
13. As the information sought was furnished by the PIO on 24/02/2021 within the prescribed time limit, I find no merit in the appeal, consequently the appeal stands disposed with the following:-

## **ORDER**

- The appeal is dismissed.
- Proceeding closed.
- Pronounced in open court.
- Notify the parties.

Sd/-

**(Vishwas R. Satarkar)**

State Chief Information Commissioner