GOA STATE INFORMATION COMMISSION

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Appeal No. 205/2025/SCIC

Shri. Sakharam Y. Patekar,
R/o. Oshalbag, Dhargal,
Colvale, Pernem-Goa 403513. ----Appellant

V/s

1.The Public Information Officer,
Office of Inspector of Survey and Land Records,
Pernem-Goa.

2.The First Appellate Authority,
O/o. Directorate and Settlement and
Land Records, Panaji-Goa. ----Respondents

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

Relevant Facts Emerging from the Appeal

RTI application filed on	04/06/2025
PIO replied on	25/06/2025
First Appeal filed on	01/07/2025
First Appellate order on	13/08/2025
Second appeal received on	**04/09/2025**
First hearing held on	16/10/2025
Decided on	**18/12/2025**

Information sought and background of the Appeal

1. Shri. Sakharam Y. Patekar filed an application dated 04/06/2025 under RTI Act, 2005 to the PIO, Office of the Inspector of Survey and Land Records, Pernem seeking following information with regard to the Partition Case No. PIPER 11-23-403 :

   i. "Copy of application filed by applicant for partition.
   ii. Copy of all the documents relied by the plan applicant in the above partition.
   iii. Copy of notices issued to the Respondent and report of Service.
   iv. Copy of Roznama of the above partition application.
   v. Copy of the order passed in the above partition application".

2. In response to the RTI application, PIO, (Inspector of Survey & Land Records, Pernem) vide letter dated 25/06/2025 replied to the Appellant as under :

"With reference to your application dated 04/06/2025 on the above cited subject, it is informed that copies as desired by you are kept ready in this office and may be collected on depositing Rs.1262/- (Xerox pages 46 nos. x Rs.2/- per page + certified copies 20 nos. x Rs.51/- per page + certified copy of plan 1 no. x Rs.150/-) in this office on any working day during office hours i.e. between 9.30 a.m. to 12.30 p.m. & 2.00 p.m. to 4.00 p.m.

This rate is as per the Notification No.26/13/2016-RD/513 dated 16/03/2018 published in Official Gazette Series I No. 52 dated 29/03/2018 with Rule 4. Fees under other Rules vide Notification No. DI/INF/RTI/BILL/05/5275 dated 04/02/2008".

3. Being aggrieved by the reply received from the PIO, Appellant filed first appeal dated 01/07/2025 before the First Appellant Authority stating that the fees quoted by the Respondent PIO (Rs. 1262/- for 20-page information @ Rs. 51 per page) is not as per RTI Act.

4. FAA (Superintendent of Survey & Land Records, Panaji) after hearing first appeal on 11/07/2025, 23/07/2025 and 06/08/2025 vide order dated 13/08/2025 dismissed the first appeal *'for non-appearance'* of Appellant for the hearing held on 13/08/2025.

5. Appellant subsequently preferred Second appeal dated 04/09/2025 before the Commission stating that Respondent PIO has not fixed correct rate for the information sought and FAA has passed a baseless order dated 13/08/2025. Appellant prayed before the Commission that Respondent PIO be directed to furnish sought information as per the rate to be charged under RTI Act, 2005 and to recommend disciplinary action under Service Rules.

FACTS EMERGING IN COURSE OF HEARING

6. Pursuant to the filing of the present appeal, parties were notified fixing the matter for hearing on 16/10/2025 for which Appellant and present PIO appeared in person. Present PIO agreed to file reply to the appeal memo on the next date of hearing slated for 13/11/2025.

7. When the matter took up for further hearing on 13/11/2025, Appellant and then Respondent PIO, Smt. Vinita Kambli, Assistant Survey & Settlement Officer, DSLR, present. The Respondent PIO filed submission along with annexure, copy of Official Gazette Series I No.52 issued by Department of Revenue highlighting the fees, Judgement of Hon'ble Supreme Court/High Courts etc. with an additional to the Appellant.

Then Respondent PIO in the written submission dated 13/11/2025 stated that Goa Land Revenue (Inspection, Search and supply of copies of Land Records (Amendment) Rules 2018 in Official Gazette Series I No.52 dated 29/03/2018 clearly prescribes the fee for various purposes including fee for issuing certified copy of records for every sheet of paper of (30 x 21 cms) in dimension, hand written or typed with double spacing --- Rs. 50/- per page and additional Rs. 1/- for the cost of papers as mentioned at Sr. No.17(a) under SCHEDULE-A of the said notification.

Respondent PIO prayed before the Commission that the Appeal filed by the Appellant be dismissed, the legality of the fee structure prescribed under the relevant statutory rules be uphold and the Appellant be directed to obtain sought information by depositing prescribed fees intimated to the Appellant vide letter dated 25/06/2025. Matter posted to 18/12/2025.

8. Then Respondent PIO and Appellant present for the hearing on 18/12/2025. Appellant with documentary evidence submitted that the same Respondent PIO (Smt. Vinita V. Kambli) had furnished exactly the same information (which Appellant has sought vide RTI application

dated 04/06/2025) to another RTI applicant charging only Rs.140/- as against Rs.1262/- demanded from him for the same information.

Appellant has filed copies of RTI application dated 18/10/2024 of the said RTI applicant, Shri. Uttam Suresh Bandekar, letter dated 13/11/2024 of the Respondent PIO intimating Shri. Bandekar to deposit Rs.140/- to collect information and the receipt of the payment of Rs.140/-only made to receive information as documentary evidence to the collection of Rs.140/- only by the Respondent PIO to furnish the same information for which Appellant was asked to deposit Rs. 1262/- by the same Respondent PIO.

COMMISSION'S OBSERVATIONS

i. Perusal of RTI applications of the Appellant (in the present appeal) dated 04/06/2025 and that of Shri. Uttam Suresh Bandekar dated 18/10/2024 revealed that RTI queries of both the RTI applicants are identical and the Respondent PIO in both the matters are same, Smt. Vinita V. Kambli.

ii. It is surprising how same Respondent PIO can charge different amount (Rs. 140 & Rs. 1262) from two different RTI seekers for furnishing information to the same RTI queries.

iii. Respondent PIO is duty bound to explain the criteria adopted to charge entirely two different amounts as fee for entirely identical furnishing information to RTI queries of two different RTI applicants.

iv. Under what provision or norms the FAA dismissed Appellant's first appeal citing 'nonappearance of Appellant' on 13/08/2015 after appearing on 11/07/2025, & 23/07/2025. 'Non appearance' is not ground to dismiss the appeal.

DECISION

1. **Since the Respondent PIO provided same information to an RTI applicant few months ago receiving Rs. 140/- only as fee, there is absolutely no ground or justification to charge Rs. 1262/- from the Appellant to receive the same nature and volume of information.**

2. ***Therefore, Commission directed the Respondent PIO to furnish information sought by the Appellant Shri. Sakharam Y. Patekar vide his RTI application dated 04/06/2025 with 15 days from the receipt of this order by charging Rs. 140/- only (as in the case of Shri. Uttam Suresh Bandekar vide PIO's letter dated 13/11/2024) instead of Rs. 1262/- (as directed to the Appellant Shri. Sakharam Y. Patekar vide PIO's letter dated 25/06/2025).***

3. **Respondent PIOs (then and present) are directed to file compliance report within 21 days from the receipt of this order.**

With the above direction to the Respondent PIO, present appeal disposed and proceedings stand disposed.

- Notify the parties.

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.

Sd/-

(ARAVINDKUMAR H. NAIR)
State Chief Information Commissioner, GSIC