

GOA STATE INFORMATION COMMISSION

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

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Appeal No.317/2025/SCIC

Mr. Ganpat Sidhaye,
H. No. 45, Matav Wada,
Britona, Bardez-Goa 403101.

-----Appellant

V/s

1.The Public Information Officer,
Office of the Superintendent of
Survey and Land Records,
Panaji-Goa.

2. The Public Information Officer,
Inspector of Survey and Land Records,
Collectorate Building, Margao-Goa.

-----Respondents

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

Relevant Facts Emerging from the Appeal

RTI application filed on	07/07/2025
PIO replied on	01/08/2025
First Appeal filed on	09/10/2025
First Appellate order on	07/11/2025
Second appeal received on	10/12/2025
First hearing held on	19/01/2026
Decided on	19/01/2026

Information sought and background of the Appeal

1. Shri. Ganpat Vishnu Sidhaye filed an appeal dated 07/07/2025 under RTI Act, 2005 to the PIO, Directorate of Settlement and Land Records, Panaji seeking information at (03) points with reference to the memorandum issued by the Directorate of Settlement and Land Records (DSLRL) Vide No. DSLR/DILRMP/BHUNA-KSHA CORRECTIONS/91/2023/81/4051 dated 24/10/2024.
2. In response to the RTI application, PIO (Superintendent of Survey and Land Records) vide letter dated 01/08/2025 replied as under :

"As regards to Point No.1 and 2, your application is transferred u/s. 6 (3) of the RTI Act, 2005 to all the Inspectors of Survey and Land Records.

As regards to Point No.3, it is to inform that the work of conversion of all land parcels in P.T. sheets Digitized in Vision Map Maker (VMM) software to shape file was tendered through Goa Electronics Ltd. and the work of conversion of P.T. sheets was assigned to L1 bidder i.e. Turbo Sketch. After the work of conversion of newly prepared Village Maps to shape files was also assigned to Turbo Sketch by single source nomination as per Rule 195 of GFR 2017".

3. Subsequently, Appellant filed first appeal dated 09/10/2025 before the First Appellate Authority (Dy. Director/Admn, DSLR, Panaji) praying for direction to PIO, Office of Directorate of Settlement and Land Records at Mapusa, City Survey, Panaji to provide information immediately, free of cost and the PIO, O/o. Superintendent of Survey and Land Records, Panaji to provide complete information and refund the excess fees paid.
4. The matter was heard by the FAA on 07/11/2025 and Respondent PIO submitted before the FAA that :
 - (i) "Point wise reply was furnished to the Appellant vide letter dated 01/08/2025.
 - (ii) With regard to Point No.3, relevant information has been provided as available in the office records.
 - (iii) Fee for certified copies are charged as per Notification No.26/12/2016-RD/513 dated 16/03/2018 published in Official Gazette Series I No.52 dated 29/03/2018 wherein at Sr. No.17, it is specified that for every certified copy of records measuring 30 x 21 cm (A4 size) the fee shall be Rs. 50/- per page plus Rs.2 for A3 sheet as applicable".
5. FAA vide order dated 12/11/2025 dismissed the first appeal stating that PIO has acted properly and within the provisions of the RTI Act, 2005.

6. Appellant then preferred Second appeal dated 10/12/2025 before the Commission with PIO, O/o the Superintendent of Survey and Land Records, Panaji and PIO, Inspector of Survey and Land Records, Margao as Respondent No.1 and 2 stating that :

- (i) Respondent No.1 has collected an amount of Rs. 424/- to furnish information pertaining to work order, scope of the work as per RFP Tender by Goa Electronics Ltd etc. which are not certified copy of Land Records.
- (ii) Respondent No.2 has charged Rs.318/- for supply information after stipulated 30 days time frame.

Appellant prayed before the Commission that:

- i. Respondent No.1 be directed to refund Rs.392/- charged as excess fee because instead of actual fee of Rs.32 (16 pages x Rs.2), Respondent No.1 charged Rs.424/- from the Appellant.
- ii. Respondent No.2 be directed to refund Rs. 318/- charged for delayed information.

FACTS EMERGING IN COURSE OF HEARING

7. Pursuant to the filing of the present appeal, parties were notified fixing the matter for hearing on 19/01/2026 for which Appellant and Representatives of the Respondents present.

Appellant submitted that his application dated 07/07/2025 was transferred to other PIOs including Respondent No.2 u/s. 6 (3) of the Act on 01/08/2025 only and information was furnished by the Respondent No.2 vide letter dated 02/09/2025 by charging Rs.318/- even though the Appellant received information after stipulated 30 days from the date of receipt of the Application.

Appellant submitted that since he received information to his RTI application dated 07/07/2025 on 02/09/2025 only he is entitled to get the paid amount of Rs. 318/- refunded.

Representative of the Respondent No.2 submitted that the RTI application dated 07/07/2025 was received by the office of the Respondent No.2 on 05/08/2025 as it was transferred by the PIO, Directorate of Settlement and Land Records, Panaji vide letter dated 01/08/2025 and accordingly information was furnished to the Appellant on 02/09/2025 i.e. within one month's time.

8. Commission observed that there is no lapse on the part of Respondent No.2, who on receipt (05/08/2025) of the transferred application furnished information on 02/09/2025 i.e. within the stipulated time frame by charging Rs. 318/- from the Appellant for the information.

However, Appellant should not face the consequences for the delay committed in transferring his application dated 07/07/2025 by the PIO, Directorate of Settlement and Land Records, who transferred the application on 01/08/2025 only despite Section 6(3) of the RTI Act, 2005 specify that application need to be transferred to other PIOs/Public authorities within 05 days from the receipt of the Application. This provision has been violated by the PIO, Directorate of Settlement and Land Records by transferring the Application dated 07/07/2025 of the Appellant on 01/08/2025 only.

As far as the issue pertaining to Respondent No.1, it is observed that Respondent No.1 has charged Rs.424/- from the Appellant for furnishing 16 pages of documents which are normal documents costing Rs.02 per page and not the one specified in the Department of Revenue's Notification No.26/12/2016-RD/513 published in Government of Goa Official Gazette Series I No.52 dated 29/03/2018 costing Rs.50/- per page and additional Rs.2/- for A3 size paper.

Since the Representative of the Respondent No.1 admitted the mistake, Appellant is entitled to get back the excess amount of Rs. 392 (Rs. 424 – Rs. 32, fee for 16-page information) from Respondent No.1.

DECISION

After considering the grounds and prayers of the Appellant and the arguments placed before the Commission by the Representatives of the Respondent No.1 and 2, Commission hereby decided to dispose off the present appeal with the following directions :

Respondent No.1

After deducting the prescribed fee of Rs. 32/-(Rupees Thirty two only) being the charge for 16 page information, Refund Rs. 392/- to the Appellant within 15 days from the receipt of this order.

Respondent No. 2

Refund Rs. 318/- collected from the Appellant on the ground of Appellant receiving information nearly after 02 months of filing original application dated 07/07/2025 (Appellant received information on 02/09/2025 only to his RTI application dated 07/07/2025). Even though Respondent No.2 furnished information within the stipulated time period, Applicant received information nearly after 02 months period owing to the delayed transfer of the Application to Respondent No. 2 by the PIO, Directorate of Settlement and Land Records, Panaji.

Respondent No. 2 may claim Rs. 318/- to be refunded to the Appellant within 15 days from the receipt of this order, from the PIO, Directorate of Settlement and Land Records, Panaji who committed delay in transferring the original application dated 07/07/2025. Even though Respondent No.2 has furnished information within 30 days, the date (07/07/2025) of the original application of the Appellant and date of information received by him (02/09/2025) need to be considered.

Chief Secretary & Revenue Secretary, Government of Goa

Necessary directions may be issued to the HoDs/State Public Information Officers under Government of Goa to the effect that-

- (i) PIOs of all Public Authorities under Government of Goa shall strictly adhere to provision 6(3) of the RTI Act, 2005 with regard to the transfer of applications filed under RTI Act, 2005.**

"Section 6(3) of the RTI Act, 2005 emphasise that transfer of an application shall be made as soon as practicable but in no case later than five days from the date of receipt of the application".

In this particular case, RTI application dated 07/07/2025 filed to the PIO, Directorate of Settlement and Land Records, Panaji has been transferred to the PIO, Inspector of Survey & Land Records, Margao and others on 01/08/2025 only causing unwarranted delay in receiving information by the Appellant.

- (ii) No fee shall be charged from the RTI applicant, if information is furnished after 30 days of the receipt of the RTI application and if the fee is charged for the information to be provided but not furnished within the 30 days' time limit from the date of the receipt of the application, fee received shall be refunded to the RTI applicant.**

"Section 7(6) of the RTI Act, 2005, specifies that if a Public Authority fails to provide information within stipulated 30 days time frame, the information must be provided free of charge and any fee already paid should be refunded".

- Proceeding stands closed.
- Pronounced in Open Court.
- 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/-

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

