

GOA STATE INFORMATION COMMISSION
"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001
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Appeal No.281/2024/SCIC

Shri Pandit Krishna Tiwari,
H.No.D/3, Sabnic Apts,
Manser, Verem,
Bardez-Goa 403114. -----Appellant
V/s

1.The Public Information Officer,
Office of Village Panchayat of Anjuna Caisua,
Anjuna, Bardez-Goa 403509.
2.The Block Development Officer(BDO),
First Appellate Authority,
Govt. Building, Mapusa-Goa. -----Respondents

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

Relevant facts Emerging from the Appeal

RTI application filed on	05/08/2024
PIO replied on	31/08/2024
First Appeal filed on	12/09/2024
First Appellate order on	25/10/2024
Second appeal received on	20/12/2024
Decided on	30/10/2025

Information sought and background of the Appeal

- Shri. Pandit Krishna Tiwari filed an application dated 05/08/2024 under RTI Act, 2005 to the PIO, Village Panchayat Anjuna-Caisua seeking following information :
 - "Certified copies of all approvals/construction license issued by the Village Panchayat Anjuna Caisua in the name of M/s. Laguna Anjuna or M/s.Windermere Hotels Pvt. Ltd. or Mr. Farrokh Maneckshaw in Survey No.174/17 and 173/2 of Village Panchayat Anjuna from 1990 till 2005.*
 - Certified copies of application inwards requesting for construction of license/construction approvals in the name of M/s Laguna Anjuna or M/s. Windermere Hotels Pvt. Ltd. or Mr. Farrokh Maneckshaw in Survey No.174/17 and 173/2 of Village Panchayat Anjuna from 1990 till 2005".*

2. In response to the RTI application, PIO, V.P. Anjuna-Caisua vide letter dated 31/08/2024 replied that "*the information sought by you is very old and vast in nature. Hence time period is not sufficient to furnish the information and therefore O/o. the PIO required more time to furnish information*".
3. Being aggrieved by the reply received from the PIO, Appellant filed first appeal dated 12/09/2024 before the First Appellate Authority stating that Respondent PIO failed to provide information sought and prayed that Respondent PIO be directed to provide complete and proper information sought vide RTI application dated 05/08/2024.
4. Subsequently vide letter dated 17/09/2024, PIO, V.P Anjuna-Caisua replied to the Appellant that '*information sought at Point No.1 and 2 of the RTI application dated 05/08/2024 is NIL*'.
5. FAA (BDO-I, Bardez) passed an order dated 25/10/2024 directing the *Respondent PIO to furnish information as per the Appellant's application dated 05/08/2024 and also give physical inspection of the document within 10 days.*
6. Complying with the order passed by the FAA, Respondent PIO vide letter dated 06/11/2024 requested the Appellant to visit the office of the Village Panchayat Anjuna-Caisua during the office hours between 3 p.m. to 5 p.m. within seven days to inspect the required information.
7. Thereafter, Appellant preferred Second appeal dated 20/12/2024 before the Commission praying that Respondent No.1 (PIO) be directed to provide complete information sought by the Appellant vide application dated 05/08/2024 and impose penalty on Respondent No.1 besides recommending disciplinary action for not providing sought information.

FACTS EMERGING IN COURSE OF HEARING

8. Pursuant to the filing of the present appeal by the Appellant, parties were notified fixing the matter for hearing on 09/04/2025 for

which Appellant's authorised person Shri. Nilesh Dabholkar present but Respondent PIO absent. The lawyer for the Respondent PIO agreed to file reply on the next date of hearing fixed on 06/05/2025.

9. When the matter took up for hearing on 06/05/2025, Appellant's representative Shri. Nilesh Dabholkar present and Respondent PIO's counsel Adv. Madhumita A. Nayak Salatry filed reply to the Second appeal with a copy to the Appellant. In the written reply, Respondent PIO submitted that :
 - i. The application filed by the Appellant is vague and lacks the public interest.
 - ii. The information sought by the Appellant is not readily available on one book.
 - iii. Appellant may inspect the files of the Respondent office and obtain necessary information.
10. In the subsequent two hearings, none present for the Respondent PIO and Presiding Commissioner directed the Registry to issue notice for the physical presence of the Respondent PIO for the next hearing slated for 06/08/2025.
11. When matter took up for hearing on 06/08/2025, none present for the Respondent PIO and Appellant was represented by Shri. Nilesh Dabholkar. Issued notice to the Respondent PIO for his presence on the next date of hearing 24/09/2025.
12. Matter took up for further hearing on 24/09/2025 for which Respondent PIO present alongwith Adv. Madhumita Nayak Salatry and Appellant was represented by Shri. Nilesh Dabholkar. Respondent PIO furnished a letter dated 23/09/2025 addressed to the Appellant alongwith photographs of Anjuna-Caisua Village Panchayat records which were destroyed by termites. Respondent PIO further submitted that the possibility of getting the files referred by the Appellant too destroyed by the termites. During the proceedings, Respondent PIO filed a letter dated 23/09/2025 addressed by the PIO, V.P Anjuna Caisua to the Appellant stating that "*With reference to your RTI application dated*

05/08/2025, it is to inform that the information was searched in the Panchayat records and the same is not traceable”.

Respondent PIO also filed a letter dated 06/08/2025 addressed by the Sarpanch, V.P. Anjuna Caisua to the Anjuna Police Station with a copy to the BDO, Bardez about the destruction of Panchayat records by white ants.

Presiding Commissioner directed the Respondent PIO to arrange an inspection of the records/files by the representative of the Appellant, at the office of the Respondent PIO. Accepting the direction, Respondent PIO fixed the inspection on September 30, 2025 afternoon (3.00 p.m. to 5.00 p.m). Matter adjourned to 30/10/2025.

13. When the matter took up for hearing on 30/10/2025, Respondent PIO present but none present for Appellant. Respondent PIO submitted that complying with the direction of the Presiding Commissioner, inspection of records was arranged to the Appellant's representative on 30/09/2025 and representative made remark as under :

“Visited for inspection at 3.20 p.m. on 30/09/2025 and also visited storeroom and seen that staff of garbage collection is staying”.

14. Since the Respondent PIO submitted that he could not trace the documents sought by the Appellant and a complaint dated 05/08/2025 submitted to the Anjuna Police Station by the Sarpanch, Village Panchayat Anjuna-Caisua about the destruction of old records of the Panchayat by the termites, Presiding Commissioner directed the Respondent PIO to file an Affidavit that despite making adequate search, the sought documents could not be traced.

Complying with the direction issued by the Presiding Commissioner, Respondent PIO, later on the same day, filed an Affidavit dated 30/10/2025 indicating Village Panchayat's inability to trace the records despite all efforts and the inspection of records carried out by the representative of the Appellant on 30/09/2025 which also found futile.

DECISION

- i. **Based on the submission/arguments placed before the Commission by the parties to the present appeal, destruction of old records of V.P Anjuna Caisua by termites, complaint in this regard to the Anjuna Police Station with a copy to BDO, Bardez by the Sarpanch, V.P. Anjuna Caisua and the 'Affidavit' dated 30/10/2025 filed by the Respondent PIO, Commission has come to the conclusion that the present appeal does not warrant further proceedings as there is no scope for tracing the records/documents sought by the Appellant.**
- ii. **Enclose the Affidavit in original dated 30/10/2025 filed by the Respondent PIO alongwith the copy of the order for Appellant.**

Matter disposed without any specific direction to either party.

- 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

