

GOA STATE INFORMATION COMMISSION

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

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Appeal No.295/2025/SCIC

Dominic Fernandes,
H. No. 185, Diwan Batti,
Arpora, Bardez Goa 403515.

-----Appellant

V/s

The Public Information Officer,
The Secretary,
Village Panchayat Arpora-Nagoa,
Bardez Goa, 403516.

-----Respondent

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

Relevant Facts Emerging from the Appeal

RTI application filed on	30-07-2025
PIO replied on	08-09-2025
First Appeal filed on	25-09-2025
First Appellate order on	Nil
Second appeal received on	01-12-2025
Decided on	25-03-2026

Information sought and background of the Appeal

1. Shri. Dominic Fernandes filed an application dated 30/07/2025 under RTI Act, 2005 to the PIO, (Secretary, Village Panchayat Arpora, Bardez Goa) seeking copy of the site inspection panchnama report carried out on 14/01/2020 subsequent to the site inspection notice dated 08/01/2020.
2. In response to the RTI application, PIO (Secretary), Village Panchayat Arpora vide letter dated 08/09/2025 replied that "*the information of site inspection panchnama is not available as per our office records*".

3. Being aggrieved by the reply received from the PIO, Appellant filed first appeal dated 25/09/2025 before the First Appellate Authority, (BDO, Bardez) stating that the Respondent PIO failed to reply or provide information sought vide RTI application dated 30/07/2025.
4. First Appellate Authority (B.D.O, Bardez) vide order dated Nil directed the Respondent PIO *"to immediately provide a clear and legible certified copy of the panchanama report sought by the Appellant. The order further states that PIO shall grant the Appellant physical inspection of all related documents pertaining to the illegal construction"*.
5. Subsequently, Respondent PIO vide letter dated 10/11/2025 informed the Appellant that the information of site inspection panchanama is not available as per the office records and hence no records are available with the Panchayat to provide the Appellant for the physical inspection.
6. Appellant then preferred second appeal dated 01/12/2025 before the Commission stating that Respondent PIO has malifidely denied the information and prayed for direction to the PIO to provide complete information, physical inspection of all relevant original records, impose penalty on PIO and award compensation.
7. Appellant further stated in the appeal that with reference to the information sought by him, Secretary, Village Panchayat Arpora had issued a "Demolition Order" dated 02/06/2020 in connection with Complaint dated 04/01/2020 lodged by Mr. Newton Da Costa of Arpora, Bardez, Goa. Para 2 of the said Demolition order states that *"Notice u/s 82 of Goa Panchayat Raj Act, 1994 was issued and the site was inspected by the Panchayat on 14/01/2020 and drawn the Panchanama of unauthorized construction without prior permission from the Village Panchayat Arpora, Margao as required under GPR Act, 1994"*.

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 15/01/2026 for which Appellant present and Adv. Madhumita A. Nayak Salatry present for Respondent PIO. Copy of the appeal memo served to the Respondent PIO's lawyer, who agreed to file reply on the next date of hearing, slated for 17/02/2026. Presiding Commissioner directed the lawyer to ensure physical presence of Respondent PIO on the next date of hearing.
9. Matter called for further hearing on 17/02/2026 for which Appellant present and Respondent PIO appeared along with Adv. Siddesh Prabhudessai. Respondent PIO sought time to trace the information and to file reply. Granting time, matter posted for further hearing on 25/03/2026.
10. Appellant and Respondent PIO present for the hearing on 25/03/2026. Advocate for the Respondent PIO orally submitted that despite making all efforts to trace the information sought (copy of the panchanama report on site inspection carried out by the Village Panchayat, Arpora on 14/01/2020), his office could not find the sought information in the office records. He further assured willingness to file Police complaint to register an FIR into the missing of the said office records.
11. Commission is of the opinion that since the Village Panchayat's demolition order dated 02/06/2020 clearly states that "*the site was inspected by the Panchayat on 14/01/2020 and drawn the panchanama of unauthorised construction*", the information sought by the Appellant was available with the Village Panchayat, Arpora but how it has been found missing/untraceable/unavailable.

DECISION

Considering the above facts and circumstances, **Commission hereby directed the Respondent PIO –**

- i. To file a Complaint to the local police station within 10 days from the receipt of this order, to register an FIR into the missing record/document of Village Panchayat Arpora, Bardez, Goa and furnish a copy of the police complaint to the Appellant within a week from the date of filing the complaint.**
 - ii. Subsequently, on registration of the FIR into the Complaint a copy of the FIR should be furnished to the Appellant within 10 days of the registration of the FIR.**
 - iii. File compliance report to the Commission within 10 days from the date of filing of the police complaint.**
- Matter disposed.
 - 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