

GOA STATE INFORMATION COMMISSION
"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001
E-mail: spio-gsic.goa@nic.in Website: www.scic.goa.gov.in

Appeal No.199/2026/SCIC

Shri. Damian D'Mello,
C-8/G-2, Navelcar Estate,
Bainguinim, Old Goa 403402. -----Appellant

V/s

The Public Information Officer,
Village Panchayat Secretary,
The Office of Village Panchayat Se Old Goa,
Tiswadi, Goa 403402. -----Respondent

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

Relevant Facts Emerging from the Appeal

RTI application filed on	27/02/2026
PIO replied on	27/03/2026
First Appeal filed on	06/04/2026
First Appellate order on	30/04/2026
Second appeal received on	17/06/2026
First hearing	08/07/2026
Decided on	08/07/2026

Information sought and Background of the Appeal

1. Shri. Damian D' Mello filed an application dated 27/02/2026 before the PIO (Secretary) Village Panchayat, Se Old Goa seeking information with regards to the File having Ref. No. 27/15-3/280/TCP/94-1051 dated 15/03/1994.
2. In response to the RTI application, PIO, Village Panchayat, Se Old Goa vide letter dated 27/03/2026 replied that sought information is not traceable.
3. Being aggrieved by the reply of the PIO, Applicant filed first appeal dated 06/04/2026 before the First Appellate Authority.

4. First Appellate Authority (BDO, Tiswadi, Goa) vide order dated 30/04/2026 directed the Respondent PIO to once again search the records of the Panchayat and furnish information within 30 days based on the availability.
5. Pursuant to the order passed by the First Appellate Authority, Respondent PIO vide letter dated 04/06/2026 informed the Appellant that information requested vide application dated 27/02/2026 is already in the possession of the Appellant.
6. Appellant then preferred second appeal dated 17/06/2026 before the Commission praying for direction to the Respondent PIO to furnish the information.

FACTS EMERGING IN COURSE OF HEARING

7. Pursuant to the filing of the present appeal, matter took up for hearing on 08/07/2026 for which Appellant and Respondent PIO present. Upon perusal of the RTI application dated 27/02/2026, Presiding Commissioner could not find any specific RTI query or what information Appellant desired to seek from the PIO, Village Panchayat Se Old Goa. When Appellant was instructed to clarify his requirements, Appellant orally submitted that he want justice. Presiding Commissioner then instructed the Respondent PIO to place his say in the matter and the requirement of RTI applicant.
8. Respondent PIO orally submitted that the RTI application is about an issue of illegal construction by the Appellant's neighbour in the property bearing Survey No. 7/3 and 7/4, Old Goa. Based on the Appellant's Complaint on illegal construction by his neighbour, Village Panchayat had issued show cause notice dated 12/12/2024, u/s 66/3 of the Goa Panchayat Raj Act, 1994 followed by Order of Demolition dated 08/01/2025, u/s 66/4 of Goa Panchayat Raj Act, 1994 to the Appellant's neighbour Shri. Premanand G. Naik Saperkar. However, Appellant's neighbour obtained stay order against the demolition from the

Authorities and presently the matter is pending before the Additional Collector, North Goa.

9. Since, the Commission has no jurisdiction to intervene in the matter of illegal construction and the matter related to it pending before the Additional Collector, Presiding Commissioner informed the Appellant that the matter of illegal construction and its related proceedings before the Additional Collector does not come under the ambit of RTI Act, 2005 and the Jurisdiction of the Commission. Presiding Commissioner advised the Appellant, a senior citizen, to approach the District or State Administration with his grievance and request for an early decision in the matter pending before the Additional Collector, North Goa.

DECISION

The above cited illegal construction, demolition order and its related stay order which are pending under the consideration of the Additional Collector, North Goa does not fall under the ambit of RTI Act, 2005 and the jurisdiction of the Commission. Hence, the Appeal stands disposed without any intervention by the Commission.

- 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