

GOA STATE INFORMATION COMMISSION

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

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**Appeal No.199/2025/SCIC
&
Appeal No. 203/2025/SCIC**

Pedrito Misquitta,
Souza Vaddo,
Candolim, Bardez-Goa
403515.

----Appellant

V/s

1.The State Public Information Officer/Secretary,
Office of the Village Panchayat Candolim,
Candolim, Bardez-Goa.

2.The Block Development Officer-Bardez,
First Appellate Authority,
Mapusa Bardez-Goa 403507

-----Respondents

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

Relevant Facts Emerging from the Appeal

RTI application filed on	16/04/2025
PIO replied on	13/05/2025
First Appeal filed on	19/05/2025
First Appellate order on	20/08/2025
Second appeal received on	11/09/2025
Decided on	22/01/2026

Information sought and background of the Appeal

1. Shri. Pedrito Misquitta filed an application dated 16/04/2025 under RTI Act, 2005 to the PIO, Village Panchayat Candolim seeking information at 10 points with 13 sub points (A-M) each to the main RTI query No. 1 and 2 seeking copies of 97 show cause notices issued by the Village Panchayat, Candolim to the alleged illegal construction on Roadside/major roads in Panchayat areas following the order dated 06/03/2025 passed by the High Court of Bombay at Goa in Suo-motu PIL No. 3 of 2024 in the illegal constructions on roadsides.
2. In response to the RTI application, PIO (Secretary, Village Panchayat, Candolim) vide letter dated 13/05/2025 replied to the Appellant stating to the majority of the RTI queries as "The information

sought is voluminous and would disproportionately divert the resources of the public authority and hence exempted u/s 7(9) of the RTI Act, 2005”.

3. Being aggrieved by the reply/information received from the PIO, Appellant filed first appeal dated 19/05/2025 before the First Appellate Authority praying for necessary direction to the Respondent PIO to furnish sought information, free of cost.
4. First Appellate Authority (B.D.O-I, Bardez) vide order dated 20/08/2025 directed the Respondent PIO -
"to offer inspection of the relevant records related to Sr. No. 44(b) and 44(c) within 15 working days of this order and also to provide certified copies of all available notices issued, replies received, if any, and any further documents relating to action taken by the Panchayat under the cited order after inspection."
5. Subsequently Appellant approached the Commission with the present appeal dated 11/09/2025 praying for direction to the Respondent PIO to furnish information sought vide RTI application dated 16/04/2025, free of cost, initiate penal action and recommend disciplinary action against the Respondent PIO for failing to furnish information

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 present but none present for Respondents. However, Registry of the Commission received an e-mail from the Respondent PIO's lawyer intimating that she is unable to attend the hearing due to some unavoidable personal reason.
7. Matter took up again on 10/11/2025 for which Appellant present and Adv. Swati Verlekar present for Respondent PIO. Copy of memo served to Adv. Swati, who agreed to file reply to appeal memo on the next date of hearing slated for 08/12/2025.

8. Appellant and Adv. Swati Verlekar (Respondent PIO's lawyer) present for hearing on 08/12/2025. Adv. Swati requested for another opportunity to file reply to the appeal memo on the next date of hearing 22/01/2026. Presiding Commissioner gave oral direction to Adv. Swati Verlekar to ensure the presence of Respondent PIO (Secretary, Village Panchayat of Candolim) for the next hearing scheduled on 22/01/2026.
9. When the matter took up for hearing on 22/01/2026, Appellant and Respondent PIO present. Referring to the FAA's order, Appellant orally submitted that he was neither communicated by the Respondent PIO about the inspection of the documents/records nor inspection was carried out. Present PIO informed before the Presiding Commissioner that he was not the PIO at the time of filing the RTI application by the Appellant and order (passed by the FAA (BDO-I, Bardez).
10. Present PIO orally submitted before the Presiding Commissioner that the issue pertaining to the illegal construction along the roadside in Municipal and Panchayat areas in the State is still sub-judice and as part of the ongoing legal proceedings before the Hon'ble Bombay High Court at Goa, High Court recently appointed two nodal officers, Deputy Director of Municipal Administration and extension officer of the Directorate of Panchayats to analyse reports from Municipalities and Panchayats in the suo-motu petition concerning illegal structure across the State.
11. Commission is of the view that since the illegal construction related matter is still sub judice before the Hon'ble High Court of Bombay at Goa, Village Panchayat, Candolim will not have any authority to take final decision on illegal structures in its jurisdiction.

However, Respondent PIO can furnish the Appellant the copies of show cause notices issued to the 97 violation and reply, if any, submitted by them to the Panchayat.

DECISION

Considering the above cited facts and circumstances, Commission hereby directed the Respondent PIO to furnish copies of 97 show cause notices issued by the Village Panchayat Candolim over alleged illegal construction in its jurisdiction and also copies of the reply to the said show cause notices, if any, received by the Panchayat to the Appellant, free of cost, within 15 days from the receipt of this order.

File compliance report to the Commission within 21 days from the receipt of this order.

Since the content pertaining to Appeal No. 203/2025/SCIC filed by the Appellant with the same Respondents (of Appeal No. 199/2025/SCIC) is identical to the Appeal No. 199/2025/SCIC, this order/decision of the Commission is applicable to both the appeals viz. Appeal No. 199/2025/SCIC and Appeal No. 203/2025/SCIC.

Accordingly, both the Appeals are 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