

**GOA STATE INFORMATION COMMISSION**

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**Appeal No. 183/2020**

Shri. Ramdas Sonu Kandolkar,  
r/o. H.No. 315, Corte Real,  
Dhaktem Bhat, Santa Cruz,  
Tiswadi Goa. 403005.

.....Appellant

V/S

1. Public Information Officer,  
Village Panchayat of Santa Cruz,  
Tiswadi-Goa.

2. First Appellate Authority,  
Block Development Officer,  
Tiswadi, Panaji Goa.

.....Respondents

**Shri. Vishwas R. Satarkar**

State Chief Information Commissioner

**Filed on: 23/10/2020**

**Decided on: 09/12/2021**

**FACTS IN BRIEF**

1. The Appellant, Shri. Ramdas Sonu Kandolkar, r/o. H.No. 315, Corte Real, Dhaktem Bhat, Santa Cruz, Tiswadi Goa by his application dated 14/05/2020 filed under section 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought information regarding construction of gutter, nalla on the Old National Highway from Santa-Cruz Bazar to Bambolim (Near Maddona Pharmacy) executed by Santa-Cruz Village Panchayat and details thereof from the Public Information Officer of Directorate of Panchayat, Junta House at Panaji Goa.
2. The said application was replied by the PIO on 08/06/2020 and on 13/07/2020. The PIO responded that Village Panchayat Santa-Cruz has executed the said work, however did not tender the work and therefore information is not available with the records of public authority.

3. Not satisfied with the reply of PIO, the Appellant filed first appeal before Block Development officer at Panaji Goa being the First Appellate Authority (FAA).
4. The FAA by its order dated 12/08/2020 allowed the said appeal and directed the PIO to ascertain once again the records and provide the information free of cost to the Appellant within seven days.
5. Since the PIO failed to furnish the information by complying the order of FAA, Appellant preferred this second appeal before the Commission under sec 19(3) of the Act.
6. Notice was issued to the parties, pursuant to which PIO appeared through his legal representative on 23/03/2021 and filed his reply, representative of FAA also appeared however opted not to file any reply in the matter.
7. Perused the pleadings, reply, scrutinised the records and considered the written arguments.
8. According to Appellant, on 04/05/2020 the Village Panchayat Santa-Cruz has carried out the construction of gutter/nalla on Old National Highway at Santa-Cruz and dumped waste mud from the gutter in his plot situated in survey No. 162/1 of Santa-Cruz Village without any intimation, therefore he sought information, however PIO failed to provide information and replied that the information is not available in the records.
9. On the other hand, PIO submitted that the RTI application of the Appellant was replied within stipulated time on 13/07/2020 and also further clarification to earlier was given on 08/06/2020.

According to him, the public authority has undertaken the work of cleaning, desilting of drains, gutter of Old National Highway by engaging daily wages labour by utilising the fund of Panchayat. However the work was not tendered nor awarded to any

contractor. He also submitted that he is ready and willing to furnish the Muster roll of the said work and amount paid to labourers.

10. During the course of arguments, the Commission directed the representative of PIO to furnish the available information on next date of hearing.
11. Accordingly, on the next date of hearing i.e on 05/10/2021, Nazarioa D'Souza appeared on behalf of PIO and furnished to the Appellant the bunch of documents of entire construction work, which was duly endorsed by representative of Appellant, Mr. Kumarsen Kambli.
12. Since the information was furnished free of cost to the Appellant which is duly acknowledged by the Appellant, nothing further remains to be decided.
13. In this background, the appeal stand disposed with following:-

## **ORDER**

- The appeal is dismissed.
- Proceedings closed.
- Pronounced in the open court.
- Notify the parties.

Sd/-

**(Vishwas R. Satarkar)**

State Chief Information Commissioner