

## GOA STATE INFORMATION COMMISSION

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### Appeal No.71/2026/SCIC

Lohit Haldankar,  
H. No. 4/88, "SatyavatiSadan",  
Nanerwada, Kondalwada, Pernem,  
Goa 403512

-----Appellant

V/s

1. The Public Information Officer,  
Directorate of Health Services,  
Panaji Goa 403001.
2. The First Appellate Authority,  
Directorate of Health Services,  
Panaji Goa 403001.

-----Respondents

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

### **Relevant Facts Emerging from the Appeal**

RTI application filed on	13/10/2025
PIO replied on	30/10/2025
First Appeal filed on	10/11/2025
First Appellate order on	09/12/2025
<b>Second appeal received on</b>	<b>06/03/2026</b>
<b>First Hearing on</b>	<b>16/04/2026</b>
<b>Decided on</b>	<b>06/05/2026</b>

### **Information sought and Background of the Appeal**

1. Shri. Lohit Haldankar filed an application dated 13/10/2025 under RTI Act, 2005 to the PIO, Directorate of Health Services (DHS), Panaji, Goa seeking " *Certified copies of documents referred to and relied upon in the inquiry report dated 26/08/2025 prepared by Directorate of Health Services in connection with complaint regarding illegal connection provided to the structure of Shri. Kamlakant Haldankar*".

Appellant sought information at 04 points including certified copy of the exact house plan submitted by Shri. Kamlakant Haldankar indicating toilet and specifically relied upon by the inquiry Committee while preparing its report dated 26/08/2025.

2. In response to the RTI application, PIO (Dy. Director/ HIB) vide letter dated 30/10/2025 replied to the Appellant enclosing couple of documents.
3. Being aggrieved by the information furnished by the PIO, Appellant filed first appeal dated 10/11/2025 before the First Appellate Authority praying for direction to the Respondent PIO to provide authentic and certified copy of the exact house plan which the Inquiry Committee relied upon.
4. First Appellate Authority (Director of the Health Services) vide order dated 09/12/2025 disposed the appeal stating that the Appellant may inspect the file pertaining to the inquiry report and take copies of the information requested in his RTI application dated 13/10/2025.
5. Subsequently, Appellant preferred second appeal dated 06/03/2026 before the Commission stating that Respondent PIO has neither provided correct plan nor clearly stated whether the plan referred to in the inquiry report exist or does not exist in the records.  
Appellant prayed for direction to the Respondent PIO to provide certified copy of the exact house plan referred to in the inquiry report dated 26/08/2025 for which shows two pukka toilets.

#### **FACTS EMERGING IN COURSE OF HEARING**

6. Pursuant to the filing of the present appeal by the Appellant, matter took up for hearing on 16/04/2026 for which Appellant and Respondent PIO present.
7. Matter took up again for hearing on 27/04/2026, Appellant and Respondent PIO present in person. Partial arguments were placed by the parties before the Presiding Commissioner who directed the Respondent PIO to furnish the copy of application and house plan mentioned/referred in the Inquiry Report dated 26/08/2025 on the next date of hearing scheduled on 06/05/2026.

- 8.** When the matter took up for final hearing on 06/05/2026, Appellant present and representative appeared on behalf of the Respondent PIO without authority letter.

In compliance to the oral direction dated 27/04/2026 of the Presiding Commissioner, Respondent PIO's representative produced copies of some documents including Affidavit of Shri. Kamalakant Purushottam Haldankar, order dated 03/11/2026 issued by the Directorate of Health Services and house plan in respect of Shri. Kamalakant P. Haldankar. The copies of document produced by the representative of the Respondent PIO are furnished to the Appellant.

- 9.** Upon perusal of the house plan, Appellant submitted that the inquiry report prepared by the team headed by Dr. Shaheen Saiyed stated that the premises of Shri. Kamalakant Haldankar were equipped with two pukka toilets along with septic tank and soak pit as shown in the plan submitted with the application as sanitary measures for the electricity connection u/s 94A of the Goa Public Health Act but the house plan produced before the Presiding Commissioner on 06/05/2026 does not contain the said two pukka toilets.

- 10.** Following this oral submission by the Appellant, Presiding Commissioner made a perusal of the inquiry report signed by Dr. Shaheen Saiyed (Chairperson), Dr. Uttam Dessai and Dr. Roshan Nazareth (Members).

Upon perusal it was found that para No. 9 of the Inquiry Report states " On inspection, the committee found the allegations of *"no toilets/sanitary measures"* at the residential premises of Shri. Kamlakant Haldankar to be *"absolutely false and baseless"*. The premises were equipped with *"two pakka toilets along with septic tank and soak pit"*, as shown in the plan submitted with the application as sanitary measures for the electricity connection under Section 94A of the Goa Public Health Act. Hence the allegations of open defecation by Kamlakant Haldankar's family was also deemed *"fabricated and false"* and that the claims made were without merit".

However, House Plan produced before the Presiding Commissioner by the representative of the Respondent PIO alongwith other documents on 06/05/2026 does not show the said two pukka toilets, instead only soak pit and septic tank are marked.

### **DECISION**

Taking into account of the above facts and circumstances,  
**Commission hereby direct the Respondent PIO -**

- i. To furnish the Appellant within 07 days copy of the house plan based on which Inquiry Committee has come to the conclusion that the premises of Shri. Kamalakant P. Haldankar were equipped with "two pukka toilets along with septic tank and soak pit" as shown in the plan submitted with the application as sanitary measures for the electricity connection u/s 94 A of the Goa Public Health Act**
- ii. If the office of the PIO or the Public Authority in the present appeal (DHS) is not in possession of the said House Plan having "two pukka toilets", furnish the same fact in writing to the Appellant within 10 days from the receipt of this order.**
- iii. Compliance report of the Respondent PIO should reach within 15 days from the receipt of this order.**
  - 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