

GOA STATE INFORMATION COMMISSION
‘Kamat Towers’ Seventh Floor, Patto, Panaji – Goa

Shri. Prashant S. P. Tendolkar ,
State Chief Information Commissioner

Appeal No.151/SCIC/2016

Mrs. Mariazita Afonso,
Xavier Afonso Memorial Institute,
Royale Secondary School,
Plot No."O", Salilem Bhat,
Aradi Band –Taleigao,
Tiswadi –Goa.

..... Appellant

V/s

- 1) The Public Information Officer,
Dy. Education Officer,
Central Education Zone,
Panaji –Goa.
- 2) The First Appellate Authority,
Mr. D. R. Bhagat,
Dy. Director of Education,
Central Education Zone,
Massano De Amarin Bldg.,
Near National Theatre,
Panaji –Goa.

..... Respondents.

O R D E R

Dated : 21/09/2017

1) This order disposes the objection raised by the PIO on the appellants application dated 4th July 2016, seeking information from PIO, Goa Medical College, Bambolim Goa, and referred to respondent No.1 herein u/s 6(3) of the Right to Information Act 2005 (Act)..

2) According to Adv. K. L. Bhagat, appearing for PIO i.e. respondent No.1 herein, the appellants application is filed by appellant on behalf of Xavier Afonso Memorial Institute, Royal

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Secondary School. According to him said fact is clear from the letter head used by appellant and the outward number contained thereon. According to him, as the information is sought on behalf of an institution the same is required to be dismissed as it is not by citizen of India.

It is per Adv. Mandrekar for appellant that though the application is typed on the letter head of the Institution the appellant has not signed the same in her official designation. Solely the use of letter head does not show that it is officially sought.

3) I have considered the arguments as also perused the records. the application filed by appellant u/s 6(1) is on the letter head of an institute and it contains the outward number of said application. However in the signature the appellant has not shown that it is in any of her capacity/designation vis a vis the institute. Hence as pointed out by Adv. Mandrekar the application is signed by her personally and not officially. Only thing that is noted is that the office letter head is used for writing the application and contains certain outward number.

In the reply to the application the PIO has not disputed that the information is not sought personally. The information sought was rejected on some other ground. Hence I believe that the said application was responded by PIO personally to the appellant and not to institution.

4) However, considering the records and the provisions of law more particularly the fact that letter head of an institute is

used, I am of the opinion that for the purpose of clarification, the appellant is required to affirm that the information is sought by her personally and not on behalf of any institution.

5) In the circumstances I direct the appellant to file an affidavit affirming her contention that the information vide her application dated 4th July 2016, is sought on her personal behalf and not on behalf of the 'Xavier Afonso Memorial Institute Royal Secondary School.' Such affidavit to be filed before the Commission on or before next date fixed for hearing.

The objection is thus disposed off. Matter to be heard on merits.

Sd/-
(Mr. Prashant S. Prabhu Tendolkar)
State Chief Information Commissioner
Goa State Information Commission
Panaji-Goa