

GOA STATE INFORMATION COMMISSION
"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001
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Appeal No. 93/2024/SCIC

Mr. Anthony Cruz de Souza,
R/o. H. No. E 2/24,
Naikawaddo, Calangute,
Bardez Goa, 403516. Appellant
v/s

1.The Public Information Officer,
Headmaster, St. Joseph High School,
Tivaiwaddo, Calangute Goa.

2.The First Appellate Authority,
Dy. Director of Education,
North Education Zone,
Mapusa – Goa. Respondents

Shri Aravind Kumar H. Nair - State Chief Information Commissioner

RELEVANT FACTS OF THE APPEAL

RTI application filed on	- 04-11-2023
Respondent PIO reply	- 02-12-2023
First Appeal filed on	- 02-01-2024
First Appellate order on	- 30-01-2024
Second appeal received on	- 16-04-2024
Decision of the Second Appeal on	- 28-01-2025

Information Sought and Background of the Appeal

1. Mr. Anthony Cruz de Souza filed an RTI application dated 04/11/2023 to the Public Information Officer, St. Joseph High School, Calangute seeking following information:
 - A. *Names of all Teachers employed (Regular, contract basis, part time, lecture basis, leave vacancy, Temporary basis) in the St. Joseph High School, Calangute for the year 2023-2024.*
 - B. *The subject each teacher is teaching for the standards 5 to 10 along with the information of their academic/professional qualifications.*
 - C. *Certified copy of the Departmental promotion committee's minutes promoting Bro. Bakthinathan as Regular Headmaster of St. Joseph's High School, Calangute.*

- D. Certified information of the Educational qualification of Bro. Chandy, Manager of School Managing Committee alongwith the copy of approval sought from the competent authority to appoint Bro. Chandy as Manager*
 - E. Certified copy of the scheme of Management approved by the Director of Education in terms of Rule 46(3) of the Goa School Education Rules 1986.*
2. In response to the RTI application dated 04/11/2023, the PIO (Bro. Bakthinathan/Headmaster, St. Joseph High School, Calangute) vide letter dated 02/12/2023 replied to the Appellant covering all points except the one sought at point E stating that scheme of management approved by the Director of Education in terms of Rules 46(3) of the Goa School of Education Rules 1986 is awaited from Director of Education (pertaining to point E).
 3. Aggrieved by the reply of the PIO, appellant filed first appeal dated 02/01/2024 to the First Appellate Authority (Dy. Director of Education, North Education Zone, Mapusa). He is not satisfied with the information provided by the PIO to point No. D, which is incomplete and misleading, and point No. E. Appellant in his first appeal prayed for directions to the PIO to provide correct information in respect of point D & E, free of cost.
 4. After hearing both the parties in the appeal on 23/0/2024, FAA (Dy. Director of Education) vide Order dated 30/01/2024 directed the PIO, St. Joseph High School, Calangute to provide information of point No. D and E of the RTI Application dated 04/11/2023, i.e. certified copy of the Educational qualification of the Manager Bro. Chandy and the certified copy of the scheme of Management within seven days of the receipt of this order.
 5. Following FAA's Order dated 30/01/2023, PIO St. Joseph School, Calangute vide letter dated 01/02/2024 informed the Appellant that information in respect of point D & E of the RTI application dated 04/11/2023 is ready and to collect the same from the office of the PIO.

6. Subsequently, Appellant approached the Commission with second appeal dated 16/04/2024. In the second appeal, Appellant stated that following the order by the FAA, PIO furnished information to him in respect of Point D and E of the RTI application. According to the appellant, he was surprised to note that information provided was not correct. Appellant stated that Respondent PIO furnished the passing certificate of one Chandy K.J. and not Bro. Chandy Thottiyil, who is the Manager of the St. Joseph High School, Calangute.
7. Appellant further submitted that with regard to point E, PIO furnished scheme of management dated 25/11/1998 and 29/09/2022 but both the schemes of Management are not approved by the Director of Education, Government of Goa. Appellant prayed for correct and proper information in respect of point numbers D & E of his RTI application dated 04/11/2023.

FACTS EMERGING IN COURSE OF APPEAL

8. Pursuant to the second appeal filed by the appellant, parties were notified fixing the matter for hearing on 28/01/2025.
9. When the matter took up for hearing today i.e. 28/01/2025, Appellant and the Respondent PIO were present in person. Appellant submitted before the Commission that he has not received correct and complete information to point No. D & E of his RTI application. According to the appellant, he sought certified copy of the educational certificate of Bro. Chandy Thottiyil, Manager of St. Joseph High School, Calangute but the PIO, after FAA's order dated 30/01/2024, furnished a copy of certificate dated 03/04/1996 issued by Annamalai University in the name of Chandy K.J to the effect that Chandy K. J has been admitted to the Degree of Master of Arts in Public Administration in May 1995 and qualified at the examination in second class but Appellant sought proof to establish that Chandy K. J. and Bro. Chandy Thottiyil are one and same .

10. With reference to the PIO furnishing (as reply to points in RTI application) certificate issued by the Annamalai University on 03/04/96 awarding Master's Degree in Public Administration to Chandy K.J. as the educational qualification of Bro. Chandy Thottiyil, Appellant expressed doubt over the genuineness of the certificate, as it shows the name of the Master's Degree holder as Chandy K.J. whereas the name of the Manager, St. Joseph School is Bro. Chandy Thottiyil. Appellant submitted that the PIO should furnish documentary proof to substantiate that Chandy K.J. and Bro. Chandy Thottiyil are one and the same person. Since there is reasonable ground in the doubt expressed by the appellant, Commission directed the PIO to furnish some valid photo affixed documents to prove that both Chandy K.J, as mentioned in the Annamalai University Certificate of the year 1996, and Bro. Chandy Thottiyil, Manager of St. Joseph School, Calangute are same person and accordingly PIO agreed to obtain documents from Bro. Chandy Thottiyil to furnish the Appellant.
11. With regard to information to Point E of the RTI application, Respondent PIO today (28/01/2025) furnished the Directorate of Education approved Management Scheme to the Appellant.

DECISION

Since the Respondent PIO submitted all information to the Appellant, the Appeal No. 93/2024/SCIC is fit for disposal and accordingly Commission disposed the Appeal in its first hearing today, i.e. 28/01/2025 with the following direction to the Respondent PIO in respect of point D in the RTI application dated 04-11-2023.

Since the Appellant is doubtful over the identity of Chandy K.J. mentioned in the Annamalai University Certificate, which is furnished to the Appellant by the PIO as the educational qualification of Bro. Chandy Thottiyil, Manager St. Joseph High School, Calangute. PIO is directed

to furnish any valid photo affixed ID proof to the Appellant's within 10 days from the receipt of this order, to substantiate that both Chandy K.J and Bro. Chandy Thottiyil are one and the same. PIO has to submit a compliance report to this Commission.

- Proceedings stands closed.
- Pronounced in Open Court.
- Notify the parties.

Sd/-

(ARAVINDKUMAR H. NAIR)
State Chief Information Commissioner, GSIC