

GOA STATE INFORMATION COMMISSION

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

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Appeal No.279/2025/SCIC

Shri Brian Fernandes,
H. No 5/F-5,Olvaddo, Carmona,
Carmona, Salcete-Goa 403717.

-----Appellant

V/s

1.The State Public Information Officer,
Directorate of Education (Academic Section),
Alto Porvorim, Bardez Goa 403521.

2.The Dy. Director of Education (Planning),
First Appellate Authority,
Directorate of Education,
Alto-Porvorim, Bardez Goa 403521.

-----Respondents

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

Relevant Facts Emerging from the Appeal

RTI application filed on	16/08/2025
PIO replied on	25/08/2025
First Appeal filed on	23/09/2025
First Appellate order on	29/10/2025
Second appeal received on	06/11/2025
Decided on	18/02/2026

Information sought and background of the Appeal

1. Shri. Brian Fernandes filed an application dated 16/08/2025 under RTI Act, 2005 to the PIO, Directorate of Education (Academic Section), Goa seeking following information :
 - i) *Inspection of all the RTI applications filed by various RTI applicants to the Public Information Officer/Assistant Director of Education, Directorate of Education (Academic Section) from the earliest available record till the present date.*
 - ii) *Inspect all the replies of the PIO/Assistant Director of Education, Directorate of Education (Academic Section) to the aforementioned RTI application.*

2. In response to the RTI application, PIO/Directorate of Education vide letter dated 25/08/2025 replied that *"the questions asked by you do not come under the ambit of Right to Information Act, 2005 as per section 8 (1) (j)"*.
3. Being aggrieved by the reply received from the PIO, Appellant filed first appeal dated 23/09/2025 before the First Appellate Authority praying that Respondent PIO be directed to allow inspection of the files as sought vide RTI application dated 16/08/2025.
4. First Appellate Authority (Dy. Director of Education, Planning) vide order dated 29/10/2025 dismissed the first appeal on the ground that there is no public interest involved in the matter.
5. Subsequently, Appellant filed second appeal dated 06/11/2025 before the Commission praying for a direction to the Respondent PIO to allow the Appellant to physically inspect the files/records sought vide RTI application dated 16/08/2025.

FACTS EMERGING IN COURSE OF HEARING

6. Pursuant to the filing of present appeal, parties were notified fixing the matter for hearing on 18/12/2025 for which Appellant present but the **Respondent PIO was represented by an intern, who is neither a government employee nor aware of the present matter. Directed the Registry to issue notice to the Respondent PIO seeking an explanation for deputing an intern to attend the proceedings on behalf of the Respondent PIO.**
7. Matter took up again on 03/02/2025 for which Appellant absent and Adv. Keshav Bhagat appeared for Respondent PIO and he agreed to file submission on the next date of hearing slated for 18/02/2026.

- 8.** Matter called out for further hearing on 18/02/2026 for which Appellant present. Besides Adv. Keshav Bhagat, Miss Shravina Y. Shirodkar, Apprentice, Legal Cell, Directorate of Education also appeared on behalf of Respondent No. 1/PIO (Smt. Prajyoti P. Pednekar) and Respondent No. 2 (FAA) with Respondent PIO's authority letter.

Respondent PIO in her written reply dated 17/02/2026 submitted that:

- i. Appellant had sought inspection of the RTI applications of 'third parties' and the replies of the PIO to the said applications.*
- ii. Appellant has not mentioned as to how the information sought by the Appellant is in the larger public interest.*
- iii. Third party applications sought by the Appellant may contain personal information which is entitled to protection from unwarranted invasion of privacy.*
- iv. Reliance is placed on the decision of the Hon'ble Supreme Court dated 13/11/2019 in Civil Appeal No. 10045 of 2010 and Civil Appeal No. 2683 of 2010.*

- 9.** Referring to the Appellant relying upon the decision of the *Hon'ble Central Information Commission in Shri. Sanjay Pande V/s CPIO, Small Industries Development*, Respondent PIO submitted that the said decision is not applicable to the present matter because in that matter Appellant had sought information in respect of only one specific matter but in the present matter Appellant sought inspection of all applications.

- 10.** Since Appellant's RTI query is seeking 'inspection of all RTI applications filed by various RTI applicants to the PIO, Directorate of Education', Presiding Commissioner sought clarification about the particular year or period of the information sought by the Appellant. Appellant submitted before the Presiding Commissioner that the information sought by him is the inspection of all RTI applications received by the PIO, Directorate of Education since the RTI Act came into force in 2005 till the date of RTI application (16.08.2025) and the reply/information furnished by the PIO, Directorate of Education to all applicants since 2005.

DECISION

- i. Commission has come to the conclusion that there is no logic in the Appellant's RTI application containing two queries – (i) Inspection of all RTI applications filed to the PIO/Directorate of Education since 2005 and (ii) Information furnished to such RTI applications – which is not at all related to his RTI application.
- ii. Appellant's request is the inspection of all applications filed by other RTI applicants since 2005 and information provided to such applications by the PIO, Directorate of Education.
- iii. Since there is no justification in seeking inspection of RTI applications received since 2005 and information furnished for the same by the PIO/Directorate of Education till 16.08.2025 (date of RTI application) and the Appellant failed to substantiate larger public interest in seeking information for the period from 2005 that too pertaining to the applications of others and not of Appellant,
Commission decided to dismiss the present appeal.

Moreover, there is no element of public interest involved in the present RTI application seeking information for the period from 2005 till 16.08.2025.

- iv. **Respondent PIO/Directorate of Education, Smt. Prajyoti P. Pednekar is summoned u/s. 18 (3)(a) of the Right to Information Act, 2005 before the State Chief Information Commissioner on March 20th, 2026 at 11.30 a.m. with written explanation for deputing an 'intern', who is not a government employee, to attend the proceedings on behalf of the Respondent PIO and FAA with an authority letter dated 17.02.2026 issued by Respondent PIO especially when Adv. Keshav Bhagat appeared for the Respondents vide order No. 2/70/2026/L.D-Estt/211 dated 13/01/2026 issued by Joint Secretary (Estt), Law Department, Secretariat, Porvorim, Goa.**

v. ***Respondent PIO should also further explain under which capacity and provision she has authorised Miss Shravina Y. Shirodkar, Apprentice, Legal Cell, Directorate of Education to appear for the proceeding before the Commission on behalf of First Appellate Authority (Respondent No. 2) vide letter dated 17/02/2026, inspite of giving oral instructions to the said 'intern' by the Presiding Commissioner in the first hearing (18.12.2025) that being a non-employee of the Public Authority in the present appeal, she is not entitled to attend the hearing.***

- Proceedings stand 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/-

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