

**GOA STATE INFORMATION COMMISSION**  
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**Appeal No. 382/2023/SIC**

Shriram S. Raiturkar,  
H.No. 163, Pajifond,  
Isidoro Emilio Baptista Road,  
Margao-Goa 403601.

..... **Appellant**

V/s

1. The Public Information Officer.  
Goa Public Service Commission,  
EDC House, Dada Vaidya Road,  
Panaji-Goa. 403001.

2. The First Appellate Authority,  
Goa Public Service Commission,  
EDC House, Dada Vaidya Road,  
Panaji-Goa. 403001.

..... **Respondents**

**Shri. Atmaram R. Barve**

State Information Commissioner

**Filed on: 25/10/2023**  
**Disposed on: 02/12/2025**

**O R D E R**

1. The present second appeal arises out of Right to Information (RTI) application dated 02/05/2023 made by the Appellant herein, Shri. Shriram S. Raiturkar and addressed to the Public Information officer (PIO) at Department of Personnel, Government of Goa.
2. The Department of Personnel vide communication dated 03/05/2023 transferred the Appellant's RTI application to the PIO at Goa Public Service Commission in respect of point No. 2,5 and 6 respectively.

3. Vide reply dated 25/05/2023, Smt. Seema Malkarnekar, PIO responded to Appellant 's RTI application stating that information to point No. 5 of his application cannot be furnished as the disclosure of same is barred under Section 8(1)(g) of the RTI Act.
4. Aggrieved by this reply, the Appellant herein preferred first appeal dated 20/07/2023 before the First Appellate Authority (FAA).
5. The FAA vide order dated 21/08/2023 disposed the said first appeal by rejecting the contentions of the Appellant.
6. Aggrieved by the order of the FAA, the Appellant herein preferred second appeal dated 25/10/2023 before this Commission and proceeding commenced from 14/12/2023 onwards.
7. However, in the meantime the former SIC had demitted office and no new appointments were made, thus leading to resumption of proceeding from 28/10/2024 onwards. It may also be noted that the relevant PIO has passed away on 04/09/2024, thus the said PIO has been replaced by Smt. Vrinda Valvaikar.
8. Both the parties putforth their replies, rejoinders as well as written arguments and also proceeded with oral arguments in this matter.
9. It has been contended by the Appellant herein that, point No. 5 of his RTI application pertains to certified copies of minutes of selection committee of Goa Public Service Commission and that he has not expressly sought the names of selection

committee thereby not regretting the provisions of Section 8(1)(g) of the RTI Act.

10. The PIO reiterated the stand that such denial of information is covered in terms of Judgement of Hon'ble Supreme Court in Civil No. 9052 of 2012 in Bihar Public Service Commission v/s Saiyed Hussain Abbas Rizwi & Anrs, Judgement of Goa State Information Commission in Second Appeal No. 113/2021/SCIC in Mr. Shivaji M. Shet v/s PIO, Goa Public Service Commission and Second Appeal No. 127/2020/SIC-II in Shri. Sagar A. Naik v/s PIO, Goa Public Service Commission.

11. Upon hearing contention of both the parties and upon perusal of appeal memo and all other materials of record this Commission is of considered opinion as under:-

- a. The PIO's in general have to apply their minds while disposing applications under RTI Act and have to ensure that the observations made by the Hon'ble Supreme Court in above referred matter in so far as operations of Section 8(1)(g) of the RTI Act is concerned.
- b. However, at the same time the said judgement has to be seen in a manner that it would not discourage or defeat the spirit of the RTI Act.
- c. In the present context the Appellant has sought certified copies of the minutes of departmental selection committee meeting which in the considered opinion of this Commission has to be also seen in light of the Section 10(1) of the RTI Act which provides that "**Where a request for access to information is rejected on the ground that it is in relation to information which is**

**exempt from disclosure, then, notwithstanding anything contained in this Act, access may be provided to that part of the record which does not contain any information which is exempt from disclosure and can reasonably be severed from any part that contain exempt information."**

- d. Thus, the minutes of the selection committee can be provided by severing the names of experts alongwith their personal information if any which by the trust of reasonable foreseeability can cause threat to their lives and physical safety.
- e. The RTI Act is an beneficial legislation enacted by Parliament of India to instil transparency and accountability in public administration and therefore the said act has to be liberally interpreted keeping in minds that information which has been expressly barred shall not be furnished to information seeker and rest of the information has to be necessarily furnished.

12. Therefore, the present second appeal is disposed with following order:-

- a. The present second appeal is upheld.
- b. The present PIO, Smt. Vrinda Valvaikar is hereby directed to furnish certified copies of the selection committee minutes by severing the names of the experts or any other members thereof as the case may be on or before 05/01/2026 and record the minutes of such proceeding and also take acknowledgment of the Appellant herein on the same.

c. Registry to issue show cause notice to the said PIO, seeking clarification as to why no action should be initiated under Section 20(1) of the RTI Act and direct the said PIO to remain present in person alongwith reply to show cause notice and compliance report in respect of the directions herein above on **12/01/2026 at 11.00 am**; failing which necessary penalty and disciplinary proceedings shall be initiated against the PIO.

- No order as to cost.
- Parties to be provided authenticated copies of the order.
- 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/-

**(ATMARAM R. BARVE)**

State Information Commissioner