

GOA STATE INFORMATION COMMISSION
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Appeal No. 248/2025/SIC

Shri. Kashinath Jairam Shetye,
A-102, Raj Excellency,
Patto, Ribandar Goa.

..... **Appellant**

V/s

1.State Public Information Officer,
Sr. M. Snehala AC, Headmistress,
St. Mary's Convent High School,
Mapusa-Goa.

2.The First Appellate Authority,
Dy. Director of Education,
North Educational Zone, Mapusa-Goa.

.....**Respondents**

Shri. Atmaram R. Barve

State Information Commissioner

Filed on: 21/10/2025
Disposed on: 16/03/2026

ORDER

1. The present Second Appeal arises out of the Right to Information (RTI) application dated 04/06/2025 made by the Appellant herein Shri. Kashinath Jairam Shetye and addressed to the Public Information Officer (PIO) at St. Mary's Convent High School, Mapusa-Goa, wherein the Appellant herein had sought certified copies of various documents and also sought inspection pertaining to various documents more particularly points 1 to 11 of his RTI application.
2. Vide reply dated 27/06/2025, the PIO Sr. M. Snehala AC issued response that the information sought by the Appellant

herein is exempt from disclosure under 8(1)(j) of RTI Act, 2005.

3. Aggrieved by this response the Appellant herein preferred the First Appeal dated 23/07/2025 before the appropriate authority.
4. The First Appellate Authority vide its order dated 23/09/2025 rejected and dismissed the First Appeal citing the grounds that the Appellant was absent for all three hearings.
5. Aggrieved by the order of the First Appellate Authority the Appellant herein preferred the second appeal before this authority vide appeal memo dated 21/10/2025.
6. Notices were issued and the matter came up to be heard from 13/11/2025 onwards. The Respondent PIO filed a reply to the appeal memo on 06/01/2026 to which the Appellant filed his rejoinder on 18/02/2026 of which Appellant produced proof of postal service on present day of hearing.
7. On the present day both parties argued the matter extensively wherein Advocate for the PIO argued that the contents of the RTI application would cause unwarranted invasion of private information and placed reliance on judgement of Supreme Court namely 1. Girish Ramchandra Deshpande v/s Central Information Commissioner and others, 2. Rajesh Ramchandra Kidile v/s Maharashtra State Information Commission Bench at Nagpur and Others and also in the judgment of High Court of Judicature at Bombay in Subhash Bajirao Khemnar v/s Shri. Dilip Nayku Thorat and others in Writ Petition No. 1825 of 2013.

8. The Appellant contended that the contentions of his application have been upheld in Appeal 167/2020 by the Goa State Information Commission while deciding the same Appeal arising out of his RTI application on the same subject matter. The Appellant further argued that the PIO has not acted primarily in so far as the obligations of PIO under Section 4 of RTI Act are concerned and also that while rejecting application under Section 8(1)(j), the PIO has not sought the consent of refusal from the third party.
9. It has also been contention of Advocate of the PIO that the Appellant ought to have disclosed the public interest associated with his RTI application and alleged for the said RTI application lacks any public interest.
10. Upon perusal of Appeal memo, replies, rejoinder and all material on record this Commission is of considered opinion as under:
 - a. The RTI Act, 2005 is an beneficial legislation which empowers common citizens to get access to information so as to ensure accountability and transparency among public authorities and Section 6 of RTI Act makes it clear that the information seeker does not have to spell out reasons while making an RTI application.
 - b. Further, the PIO while dealing with an application involving third party information have to issue a written notice to such third party regarding the request for disclosure of information in terms of Section 11 of the RTI Act, 2005.
 - c. The PIOs cannot conveniently interpret Section 8 and have to also consider the proviso thereto, which very well forms an integral part of section 8.

- d. The obligations of the PIOs do not simply commence from the time an RTI application is received by them. However, same starts from very time the PIO assumes charge of the post as the PIO and Section 4 of the RTI Act clearly and categorically spells out the obligations of all PIOs.
 - e. In the present matter the PIO has failed in so far as her responsibilities in terms of Section 4, Section 8 as well as Section 11 of the RTI Act are concerned. It has to be further noted that exemptions from disclosure have not been made exclusive by the law makers and by way of inclusion of Section 10 pertaining to severability of information the law makers have foreseen a solution to the probable misuse of Section 8 of the RTI Act.
 - f. By taking refuge of Section 8(1)(j) and summarily rejecting the RTI application filed by Appellant herein the PIO, Smt. M. Snehala AC has caused denial of information towards the information seeker.
 - g. The FAA also appears to have erred in so far as not deciding the First Appeal on its merit is concerned and mere absence of Appellant for the proceedings before FAA does not appear to be strong ground for simply rejecting the said appeal.
11. Therefore in view of the above the present second appeal is disposed off with following orders:-
- a. The present second appeal is allowed.
 - b. The PIO, Sr. M. Snehala AC is hereby directed to provide inspection of all concerned documents to the Appellant on 10/04/2026 during working hours and on the same day

provide certified copies of the relevant documents as may be pointed out by the Appellant and also directed to record the proceeding by way of writing minutes of the same and upon completion of exercise inscribe her signature as well as the signature of Appellant upon successful completion of said exercise.

c. Non compliance of this directions shall invite penal action in terms of Section 20(1) and 20(2) of the RTI Act and as a matter to provide opportunity to be heard, Registry to issue Show Cause Notice to the PIO seeking reply by remaining present in person before this authority on 16/04/2026 along with reply to the Show Cause Notice as well as compliance report in terms of directions above failing which separate penalty proceedings shall be initiated.

- No order as to cost.
- Parties to be provided authenticated copies of this order separately under each appeal number.
- 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