

**GOA STATE INFORMATION COMMISSION**  
'Kamat Towers', Seventh Floor, Patto, Panaji –Goa  
Tel No. 0832-2437880/2437208 email: [spio-gsic.goa@nic.in](mailto:spio-gsic.goa@nic.in)  
website: [www.gsic.goa.gov.in](http://www.gsic.goa.gov.in)

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**Appeal No. 296/2023/SIC**

Shri. Prakash S. Dyawannawar,  
R/o. Merlalane Apartments, Block-B,  
Ground Floor, Bh. Our Lady of Candelaria Church,  
Near Aman Building, Sasmolem Baina,  
Vasco-Da-Gama, Goa 403802. ....Appellant

V/S

1. The Public Information Officer,  
Shree Yallalingshwar Sharda Mandir High School,  
Kannada Medium, Zuarinagar, Vasco-Goa.

2. The Dy. Director of Education/ First Appellate Authority,  
South Education Zone, Margao-Goa.

3. PIO/ Headmaster,  
Shree Yallalingshwar Sharda Mandir High School,  
Kannada Medium,  
Vasco-Da-Gama, Goa .....Respondents

**Shri. Atmaram R. Barve**

State Information Commissioner

**Filed on: 25/08/2023**

**Decided on: 06/02/2026**

**ORDER**

1. The present second appeal filed by the Appellant, Shri. Prakash S. Dyawannawar in connection to the RTI application filed by the Appellant before the Director, PIO Directorate of Education which was transferred u/s 6(3) of the RTI Act to the Headmistress of Shree Yallalingshwar Sharda Mandir High School, Kannada Medium, Zuarinagar, Vasco-Goa.
2. Out of the said application the Appellant sought the following information as here under:-

- a. Certified copies of all documents on ownership of both school premises of Shree Yallalingeswar Sharda Mandir High School, Kannada Medium located at Zuarinagar and Vasco-Da-Gama and certified copies of account, electricity bills and water bill and house tax bill on whose names are recorded on the bills of the aforesaid schools.
- b. Certified copies of all documents on ownership of both school premises of both Shree Yallalingeswar Sharda Mandir High School, right from the establishment of schools i.e. 1992 till date and the name of the person to whom rent was paid.
- c. Certified copies of all documents sanctioned by your department for constituting of school Managing Committee of both S.Y.S.M. Schools to your office for taking approvals of the same and certified copies of all PTA members of both the schools right from the establishment of aforesaid schools i.e. 1992 to till date.
- d. Certified copies yearwise grant-in-aid only with regards to maintenance and Bal Rath sanction by your department right from the establishment of both aforesaid S.Y.S.M. High Schools w.e.f 1992 onwards till date and certified copies of all documents amounts spent/ utilised by both aforesaid schools yearwise submitted to your department and names and address of the bank on which accounts are been operated and names of the persons responsible for operating the said accounts.
- e. Certified copies yearwise of minutes submitted by both S.Y.S.M. High Schools w.e.f. 1992 till date. So also certified copies of all documents filled during the time of registration

of Shri. Kalidas Associations of both aforesaid schools S.Y.S.M High Schools. Certified copies of funds utilised for construction of school premises of Shree Yallalingeshwar Sharda Mandir High School, Kannada Medium, Zuarinagar, Mormugao and the copies of minutes of approval of the Managing Committee of school for sanctioning the same.

- f. Certified copies of all documents signed by Smt. Renuka S. Dyawannawar of S.Y.S.M., Vasco-Da-Gama, Goa besides salary bill of staff submitted to the department.
- g. All the documents submitted to the department in relation to the filing up the post of Headmaster in Shree Yallalingeshwar Sharda Mandir High School, Kannada Medium, Zuarinagar, Mormugao, Goa are listed here under:-
  - a) Certified copies of all the documents enclosed by the selected candidates to the post of Headmaster i.e. Smt. S.S. Mannikeri.
  - b) Certified copies and names of the panel of members of Committee appointed her as Headmaster.
  - c) Certified copies of newspaper advertised for the post of Headmaster in the above school.
- h. Details such as names, designations and date of joining of all regular staff working in both S.Y.S.M. High Schools and certified copies of all documents of the S.Y.S.M High Schools registration copies which are registered under Societies Registration Act, 1860 submitted to the departments alongwith the certified copies of Circular/ guidelines/ rules etc school timings of both S.Y.S.M.High Schools for Headmasters, Teachers as well as non-teaching

faculty issued by the department also the copies of guidelines during holidays for the staff/ teachers/ headmasters to be present during holidays on eve of festivals i.e. Ganesh Chaturthi, Christmas, Diwali etc. The Appellant has called all the information vis-à-vis to both S.Y.S.M High Schools which is in the custody of the Directorate of Education, Government of Goa.

3. Further, the Appellant, Shri. Prakash S. Dyawannawar filed a complaint & appeal u/s 18,19 and 20 of the RTI Act on 20/06/2023 that he has filed an RTI application before the Director of Education, Porvorim which was transferred u/s 6(3) of the RTI Act by the PIO/ Superintendent, Directorate of Education on 21/03/2023 to the PIO/ Headmaster, Shree Yallalingeswar Sharda Mandir High School, Kannada Medium, Zuarinagar, Vasco to furnish the information to the Appellant directly. The PIO of the aforementioned school has failed to furnish the desired information even after more than 30 days. In the same context the Appellant approached the office of ADEI, Vasco to file a complaint and appeal against the PIO/ Headmistress of S.Y.S.M but the ADEI Vasco has assured the Appellant that she will issue directions to the PIO/ Headmistress of S.Y.S.M. High School, Zuarinagar to furnish the information against his RTI application dated 18/03/2023 failure to which he may pay a visit to their office on 30/05/2023.
4. Consequently, the PIO/ Headmaster of S.Y.S.M. High School Zuarinagar, Vasco of both the schools furnished the information to his first RTI application dated 16/01/2023 and not to his second application dated 18/03/2023. Upon which the Appellant visited the ADEI office on 30/05/2023 wherein

he was assured that the respondent will provide the documents within 10 days. However, the PIO has failed to provide the information against his RTI application dated 18/03/2023. So also not replied to him. Upon this the Appellant preferred first appeal before the First Appellate Authority (FAA) i.e. the Dy. Director of Education, South Education Zone, Margao-Goa on 20/06/2023 by speed post and a copy was enclosed to the office of the ADEI, Vasco by hand delivery.

5. However, the Appellant has not received any communications in this regards from the PIO and FAA. The second appeal is filed being aggrieved as both the authorities have not responded to the requests of the Appellant.
6. The matter was first heard on 28/09/2023 where in the Appellant was present in person, Respondent No. 1, PIO present in person alongwith Adv. Atish Mandrekar and undertakes to furnish available information on the next date of hearing.
7. As per the available records, it has been observed that the PIO has made an attempt to furnish the information to the Appellant. Whereas the Appellant expressed his dissatisfaction on most of the times.
8. On 15/02/2024, the Appellant requested to implead the PIO/ Headmaster of Shree Yallalingeswar Sharada Mandir High School, Kannada Medium, Vasco-Da-Gama as respondent. The request was considered.
9. Matter could not be heard between February 2024 to September 2024 due to former SIC demitting office and hearings resumed from September 2024 onwards.

10. Upon perusal of the appeal memo, replies of the Respondents, arguments lead by both the Appellant and the Respondents, this Commission is of considered opinion as under:-

- a) Though the Respondent PIO has delayed in furnishing the information within the stipulated time frame of 30 days, most of the information is provided during the course of hearings.
- b) The FAA has failed to conduct hearing on the First appeal preferred by the Appellant and abstained for hearing initially before the Hon'ble SIC.
- c) It is inferred from the RTI application placed on record and other allied records the Appellant failed to establish the public interest in the RTI applications, Appeal memo and other replies filed by him during the course of hearings.
- d) In an additional reply filed by the Appellant, he submits that he is the son of Late Shri. S.S. Dyawannawar founder and chairperson of both the schools of S.Y.S.M, Zuarinagar/ Baina, Vasco. He further states that his mother and elder brother are members of the said school and that had attended a meeting on 20/11/2024. He further states that his mother has invited him to come and clear doubts with regards to the school matters pertaining to his RTI application dated 18/10/2023 and he has attended the same. Under such circumstances it is clear that the Appellant has called the information of both the schools not in public interest.

e) It was the bound duty of the FAA to conduct hearing of the Appellant and the Respondent to resolve the issue wherein the FAA has failed to do so.

11. Consequent upon the above facts and findings, the present second appeal is disposed off with the following order:

a. The present appeal filed by the Appellant is focussing largely on the personal interest wherein failed to establish the public interest in the appeal hence the appeal is dismissed.

b. However, the Director, Directorate of Education, Government of Goa is directed to issue standing instructions to the FAA's in their ambit that, the FAA shall hear the first appeal filed by any Appellant without fail and pass the suitable speaking order in the matter in order to preserve the spirit of the RTI.

- 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