

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Complaint No. 19/SIC/2010

Mr. Ajit S. Porob,
"Shashi Sadan",
H. No. 133/3,
Palmar-Pomburpa,
Bardez – Goa

... Complainant.

V/s.

Public Information Officer,
Vice Principal,
P.E.S., S.R.S.N.,
College of Arts & Science,
Farmagudi,
Ponda – Goa

... Opponent.

Shri Rupesh Porob, authorized representative of the Complainant.
Adv. S. S. Pilgaonkar for the Opponent .

Dated: 01.07.2010

ORDER

The Complainant on 03.11.2009 sought information under RTI Act pertaining to students Milan Prabhakar Shet in the educational institution and requires:

- 1) Certified copy of the admission form applied for at the time of First Year B.Sc.
- 2) Certified copy of the H.S.S.C. Leaving Certificate submitted to you at the time of admission.
- 3) Certified copy of the Final Mark Sheets of First, Second and Third year.
- 4) Certified copy of the Leaving Certificate issued by your office to Milan at the time of leaving the institution.
- 5) Certified copies of the Attendance Register during First, Second and Third year in the institution.

The Opponent took recourse to section 11 of the RTI Act and the Third party on 16.11.2009 filed objection for providing her information to the Complainant. On 27.11.2009 the Opponent called the Complainant and the third party for a meeting which the Complainant was not able to attend. By letter dated 02.12.2009 addressed to the Opponent, the Complainant requires copy of the notice issued to third party and copy of objections filed

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by third party. The Opponent on 06.12.2009 provided the information regarding objections filed by the third party and regarding the notice to the third party, referred to the notice of the meeting issued to the Complainant as well as the third party on 27.11.2009. The Complainant again on 06.01.2010 sought the information under RTI Act and on 11.01.2010 the Opponent provided the information required. Subsequently, the Complainant aggrieved by the reply provided, preferred this Complaint.

3. As the information sought pertains to the student of the educational institution, rightly the Opponent considered it as third party information and the third party by letter dated 16.11.2009 made submissions stating that the information sought is personal and confidential and the Complainant is making fishing queries with regard to the personal matters of the third party with the sole intention of causing harm to the third party. Once submissions have been made by the third party objecting to provide information to the Complainant, it is immaterial whether notice was issued or not to the third party and the Complainant ought to have preferred the First Appeal instead of filing a Complaint directly to the Commission.

3. Since the Opponent considered the information required to be a third party information u/s. 11 of RTI Act, it requires adjudication and the proper course for the Complainant is to prefer First Appeal.

With these observations this Complaint is disposed off.

Sd/-
(Afonso Araujo)
State Information Commissioner