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GOA STATE INFORMATION COMMISSION
'Kamat Towers', Seventh Floor, Patto, Panaji -Goa

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Appeal No. 193/2020

Christina De Souza,
FO 1, Block 1, 5th Floor,
Milroc Temple Towers,
Merces-Goa. 403005.

.....Appellant

V/S

1. The Public Information Officer,
Kirti K. Murgaonkar,
Asst. Registrar-Administration (Teaching),
Goa University,
Taleigao Plateau Goa. 403206.

2. FAA/ Professor S. Krishnan,
Professor of Botany,
Goa University,
Taleigao Plateau Goa. 403206.

.....Respondents

Shri. Vishwas R. Satarkar

State Chief Information Commissioner



Filed on: 16/11/2020
Decided on: 09/02/2022

FACTS IN BRIEF

1. The Appellant, Christina De Souza, FO 1, Block 1, 5th Floor, Milroc Temple Towers, Merces-Goa by her application dated 06/07/2020, filed under sec 6(1) of the Right to Information Act, 2005 (hereinafter to be referred as 'Act') sought information on six points from the Public Information Officer (PIO), Assistant Registrar (Academic), Goa University, Taleigao Plateau-Goa.
2. The said application was responded by the PIO on 05/08/2020. Not satisfied with the reply of the PIO, the Appellant preferred first appeal before Prof. S. Krishnan, First Appellate Authority (FAA), Goa University, Taleigao Plateau-Goa.

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3. The FAA by its order dated 10/09/2020 partly allowed first appeal and directed the PIO to furnish the information on point No. 5 and part of information on point No. 2 and rejected the request of the Appellant, regarding information on point No. 4 and 6 being exempted under sec 8(1)(J) of the Act.
4. Aggrieved with the order of FAA, the Appellant landed before the Commission under sec 19(3) of the Act for seeking various reliefs.
5. Parties were notified, pursuant to which Adv. M. Kavlekar appeared on behalf of PIO and filed the reply on 23/08/2021. FAA duly served opted not to appear before the Commission and filed the reply in the matter.
6. Perused the pleadings, reply, scrutinised the documents on records, considered the written arguments of the parties and judgement relied upon by the rival parties.
7. It is admitted fact that information on point No. 1,3 and 5 is not in dispute. The controversy therefore is only with respect to information at point No. 2,4 and 6 of the application.
8. From the records it indicates that Appellant is working as Associate Professor in the discipline of Economics in Government College of Art, Science and Commerce at Khandola, Marcella Goa who applied for promotion from Associate Professor to Professor Grade/scale under Career Advancement Scheme (CAS) alongwith other Associate Professor and since the Appellant has been denied promotion from Associate Professor to Professor Grade/Scale in the discipline of Economics under CAS she sought the information from PIO.
9. According to Appellant, instead of providing the above requested information, the PIO has provided the Report of the Pre-Screening



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Committee for Career Advancement Scheme (CAS) to the Appellant. Further according to her, the information on point No. 4 and 6 was denied as exempted under section 8(1)(J) of the Act.

10. Further according to Appellant, denial of promotion to the post of Professor suffers from lack of consideration and application of mind to the relevant criteria of Goa University and as such she wanted to know the reason behind her lacking in promotion. To substantiate her case she also relied upon the judgement of Hon'ble Supreme Court in the case of **Kerala Public Service Commission & Ors v/s The State Information Commission & Anrs** and judgement of **CIC in Neeraj Kumar Singhal v/s North West Railway, Jaipur**.

11. On the other hand, the PIO submitted that information at point No. 2 has been supplied to the Appellant and information on point No. 4 and 6 is exempted under sec 8(1)(J) read with sec 11 of the Act.

Further according to her, statue 19 provides for the criteria followed by the Goa University for promotion from Associate Professor to Professor Grade/Scale under the Career Advancement Scheme (CAS). The provisions of the Goa University statue in this regard are based on the UGC regulations and guidelines.

12. On meticulous reading of the application dated 06/07/2020 the information sought on point No. 2 and 4 are as under:-

"2. The total scores received by all the Associate Professors of the discipline of Economics who applied for promotion from Associate Professors to Professor under CAS as per the criteria followed by the Goa University for the years 2018-2019 and 2019-2020. Provide documents.



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4. The scores/evaluation/mark sheets received from the Selection Committee under CAS of all the Associate Professors of the discipline of Economics who attended the Selection Committee meeting/interview conducted on 29th August 2019 at the Goa University for promotion from Associate Professors to Professor under CAS. Provide document."

A perusal of above would make it clear that, she is seeking the total marks/scores received by all the Associate Professors who applied for the promotion from Associate Professor to Professor under CAS of the discipline of Economics. Upon the order of FAA dated 17/08/2020, scores of pre-screening report i.e Academic performance indicator of all the candidates has been furnished to the Appellant. However grievance of the Appellant is that she was not provided with the total scores obtained by all the Associate Professors.

13. On perusal of the order of FAA dated 10/09/2020 , the FAA observed that information at point No. 4 and 6 is coming within the preview of sec 8(1)(J) and therefore exempted from disclosure under the Act. Sec 8(1)(J) of the Act reads as under:-

"8. **Exemption from disclosure of information.** ___
(1) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen,___

(j) information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the

