

GOA STATE INFORMATION COMMISSION

"Kamat Towers" 7th Floor, Patto Plaza, Panaji, Goa – 403 001

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Appeal No.153/2025/SCIC

Mrs. Silvia Luis Lobo,
H.No. 348-A, Opp. Lok Chetana School,
Fontainhas, Panaji-Goa 403001.

----Appellant

V/s

1. Deepa Shirodkar, SPIO,
Directorate of Education,
Porvorim-Goa.

2. Rita Fatima Fernandes e Caldeira,
Principal, Govt. Technical High School Centre,
Panaji-Goa.

3. Dr. Uday C. Gaunker,
First Appellate Authority,
Dy. Director of Education,
Central Education Zone,
Panaji-Goa.

-----Respondents

Shri. ARAVIND KUMAR H. NAIR - State Chief Information Commissioner, GSIC

Relevant Facts Emerging from the Appeal

RTI application filed on	29/11/2024
PIO replied on	05/12/2024
First Appeal filed on	10/01/2025
First Appellate order on	28/03/2025
Second appeal received on	07/07/2025
First hearing held on	30/07/2025
Decision of the Second Appeal on	14/08/2025

Information sought and background of the Appeal

- Mrs. Silvia Luis Lobo filed an application dated 29/11/2024 under RTI application to the PIO, Directorate of Education, Porvorim, Goa seeking *"Certified copy of all pages of the Service Book of Mr. Patrick Joaquim Lobo, UDC in the Directorate of Technical Education, Panaji and husband of Mrs. Silvia Luis Lobo."*
- On the receipt of the aforesaid RTI application, PIO/O.S.(Admn-I), Directorate of Education vide letter dated 05/12/2024 transferred the

application to the PIO/Principal, Government Technical High School Centre, Panaji u/s 6(3) of the RTI Act, 2005 with a request to provide the information directly to the applicant under intimation.

3. Subsequently, PIO, Principal, Government Technical High School Centre, Panaji, Goa vide letter dated 02/01/2025 communicated to the RTI applicant, Mrs. Silvia Luis Lobo stating that :

"I am enclosing the letter dated 02/01/2025 of Mr. Patrick Joaquim Lobo, who has DENIED, as the information sought by you is third party information and is not permitted under the RTI Act, 2005".

Principal's letter contained a copy of the letter dated 02/01/2025 submitted by Mr. Patrick Lobo to the Principal, Government Technical High School Centre, Panjim, Goa conveying his objection to furnishing certified copies of his Service Book.

4. Material available along with the present appeal filed by the Appellant does not contain any copy of the notice/letter issued by the Principal, Government Technical High School Centre Panaji u/s. 11 of the RTI Act to Mr. Patrick Lobo and copy of the same provided to the Appellant.
5. Subsequently, Appellant filed first appeal dated 10/01/2025 before the First Appellate Authority stating that the PIO/Principal, Government Technical High School Centre, Panaji vide letter dated 02/01/2025 denied the sought information on the ground that Appellant is a third party. Appellant Silvia Lobo submitted in her first appeal that she is the legally married wife of Mr. Patrick Joaquim Lobo and as such Appellant does not constitute as Third party. Appellant also attached a copy of the Civil Marriage Certificate as an evidence to her relationship with Mr. Patrick J. Lobo before the FAA along with first appeal.
6. FAA (Dy. Director of Education) vide order dated 28/03/2025 upheld the reply given to the Appellant by PIO, Government Technical High School Centre, Panaji, Goa vide letter dated 02/01/2025.

7. Being aggrieved by the order dated 28/03/2025 passed by the FAA, Appellant preferred second appeal dated 07/07/2025 before the Commission stating that the information sought under RTI Act, 2005 is pertaining to the Appellant's legally married husband and so the information sought vide application dated 29/11/2024 should not be denied.

Appellant has enclosed copy of marriage certificate having entry No.184/1999 to substantiate that the marriage is still in force for all purposes and as such, Appellant cannot be termed as third party.

8. Appellant prayed before the Commission to set aside the order passed by the FAA and direct the Respondent PIO to provide the sought information pertaining to the Appellant's legally married husband.

FACTS EMERGING IN THE COURSE OF HEARING

9. Pursuant to the filing of the present appeal by the Appellant, parties were notified fixing the matter for hearing on 30/07/2025 for which Appellant and Respondent (No.1 and 2) present in person. Copy of the appeal memo served to both the Respondents.

Respondent No.1 orally submitted that on receipt of the RTI application of the Appellant, it was transferred to the PIO, Government Technical School Centre, Panaji and requested to exempt her from the proceedings on the ground that matter is presently between Appellant and Respondent 2 and accordingly, she was exempted from the proceedings.

When Respondent No.2 (PIO/Government Technical School Centre, Panaji) was directed to file submission, it was submitted that her submission is on record (along with the Appellant's second appeal) which states that the information was not provided as the third party, in writing, objected to furnishing information pertaining to him to a third party.

10. Matter further took up for hearing on 14/08/2025 for which Appellant and Respondent No.2 (PIO/Principal, Technical High School Centre, Panaji) present.

During the hearing, Appellant submitted that PIO did not take into consideration the fact that Appellant is legally married wife of Mr. Patrick Joaquim Lobo, whose service book details sought by the Appellant, and added that their marriage had been registered in terms of Civil Laws on 02/01/1999 and marriage had been performed in terms of Catholic rituals on 02/02/1999.

According to the Appellant, her marriage with Mr. Patrick Joaquim Lobo is still in force for all purposes and being Moiety Holder of Mr. Patrick Lobo in terms of Article 1108 of the Portuguese Civil Code, Appellant owns 50% of everything owned by Mr. Patrick Lobo and also entitled to have unfettered access to all records of Mr. Patrick J. Lobo.

11. During the course of hearing it has come to notice that Appellant Mrs. Silvia Luis Lobo and her spouse Mr. Patrick J. Lobo are presently having an estranged relationship and the matter is before the Civil Court and Archdiocese of Goa and Daman.

12. In order to support her entitlement to receive information pertaining to the legal husband, Appellant cited ***Central Information Commission's decision dated 03/06/2013 in Ms. Juhi Jadli v/s Public Authority, Income Tax Department, Noida.***

13. Respondent No.2 submitted that sought information was denied to the Appellant on the ground of objection made by Mr. Patrick J. Lobo.

DECISION

- i. **Commission is of the opinion that as long as the Civil as well as the Church marriage held on 02/01/1999 and 02/02/1999 respectively between Mrs. Silvia Luis Lobo and Mr. Patrick Joaquim Lobo still persists and legally**

not separated each other till date, Appellant cannot be treated as a 'third party' and eligible to receive information pertaining to her legally married husband. Hence, Commission hereby quashed the order dated 28/03/2025 of the First Appellate Authority in the present appeal, Deputy Director of Education.

- ii. The Respondent No.2 (PIO/Principal, Government Technical High School Centre, Panaji, Goa) is directed to furnish the information sought (certified copies of all pages of the Service Book of Mr. Patrick Joaquim Lobo) to the Appellant, free of cost, within 10 days from the receipt of this 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.

- Proceeding stands closed.
- Pronounced in open Court.
- Notify the parties.

Sd/-

(ARAVIND KUMAR H. NAIR)
State Chief Information Commissioner, GSIC