

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri M. S. Keny, State Chief Information Commissioner

Complaint No. 495/SCIC/2010

Shri Dinesh Y. P. Mahambre,
MPT, New Administrative Bldg.,
3rd flr., Headland, Sada –Goa.

..... Complainant.

V/s.

The Section Officer,
O/o Chief Secretary,
Govt. of Goa,
Secretariat,
Porvorim –Goa.

..... Opponent/Respondent.

Complainant in person..

Smt. Pushpa Naik , P.S. to Chief Secretary present.

ORDER
(11-11-2010)

1. The Complainant, Shri Dinesh Y. P. Mahambre, has filed the present complaint praying for a direction to the chief Secretary Govt. of Goa to designate Public Information Officer in the office of Chief Secretary and further to direct the said Public Information Officer to consider and dispose the application dated 14/06/2010.

2. The brief facts leading to the present complaint are as under:-

That the complainant, vide separate applications dated 14/06/2010 obtained certain information from Chief Secretary, Secretary (Revenue) Secretary (Finance) and Secretary (Urban Development) under Right to Information Act 2005. That the applications were transferred under section 6(3) of RTI Act and that Secretary Revenue, Secretary Urban Development and Secretary Finance informed the Complainant that no such report of former Secretary, Finance has been received in his office. It is the case of the Complainant that vide Communication dated 8th July 2010 the section officer in the office of Chief Secretary informed the Complainant that his application dated 14/06/2010 has been transferred to under Secretary

...2/-

(Revenue/PIO for disposal. It was also informed that there is no PIO in the office of Chief Secretary. That the under Secretary (Revenue) vide his letter dated 07/07/2010 has already communicated that the information sought by the complainant has not been received in his office and, therefore, the transfer of complainant's application by the Chief Secretary to the said Under Secretary (Revenue) is an exercise in futility. It is the case of the Complainant that the information sought by the Complainant is in respect of a committee set up by Chief Secretary and therefore the said information would be available primarily in the office of Chief Secretary. It is further the case of the Complainant that the office of Chief Secretary is an administrative unit or office covered under section 5(1) of the RTI Act and it was/is mandatory under section 5(1) of the Act to designate a PIO in the office of Chief Secretary. That certain information is available in the office of Chief Secretary only and in the absence of PIO, such information would not be available to the public at large, which is contrary to the scheme and object of the Act. Hence the present complaint.

3. In pursuance of the notice under Secretary to the Opponent appeared. It is seen that subsequently the opponent produced the order dated 08/09/2010 issued by order and in the name of the Governor of Goa. As per the same PIO, APIO and First Appellate Authority have been designated in respect of the office of Chief Secretary, Secretariat, Porvorim.

In view of this first part of the prayer (a) does not survive as PIO is already appointed.

4. The other part of the prayer is regarding the application dated 14/06/2010 of the Complainant seeking information.

Since the P.I.O has been appointed the opponent to deal with the said application in terms of the RTI Act. PIO to see that time schedule is to be maintained as per the mandate of RTI Act.

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5. In view of the above, I pass the following order:-

O R D E R

The Public Information officer to deal with the said application of the Complainant dated 14/06/2010 and dispose off the same in accordance with law/RTI Act and within the stipulated period as prescribed by law. No further intervention of the Commission is required. The Complaint is disposed off.

The Complaint is accordingly disposed off.

Pronounced in the Commission on this 11th day of November, 2010.

Sd/-
(M.S. Keny)
Chief Information Commissioner

