

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri Afonso Araujo, State Information Commissioner

Complaint No. 130/SIC/2010

Sanyogita Shetye,
Through Power of Attorney Shri Kashinath Shetye,
Fondvem,
Ribandar – Tiswadi ... Complainant.

V/s.

The Public Information Officer,
State Electrical Inspectorate,
5th Floor, Vidyut Bhavan,
Panaji – Goa ... Opponent.

Complainant through authorized representative Shri Kashinath Shetye.

Opponent absent.

Dated: 28.04.2010

ORDER

The information sought on 30.06.2009 pertains to the Circular issued by the Chief Secretary dated 09.06.2009 and on the requirements mentioned at Sr. No. 1 to 7 of the said request. The Electrical Inspector, R. A. Ghali by communication dated 02.07.2009 stated that his office is not aware of such circular and unable to look into the matter. In view of the reply of the Opponent the Complainant filed the present Complaint and on 20.04.2010 the Electrical Inspector, R.A. Ghali in reply to the notice issued by the Commission stated that he was appointed as Electrical Inspector on contract basis and the contract period expired on 20.04.2010 and nothing is known about the continuation or posting of new person and there is no officer in the State Electrical Inspectorate to attend.

2. Shri Shetye stated that the Opponent has to personally appear and provide the information sought and as there is no Public Information Officer in the State Electrical Inspectorate, directions may be given to appoint Public Information Officer.

...2/-

3. To the request dated 30.06.2009 the Electrical Inspector of State Electrical Inspectorate has stated that no circular of Chief Secretary was sent to the State Electrical Inspectorate. Subsequently, a complaint was instituted which was registered before this Commission on 18.02.2010 and on 19.03.2010 a notice was issued to the Opponent fixing the date of 28.04.2010 for appearance. The Opponent by letter dated 20.04.2010 and in reference to the notice dated 19.03.2010 stated that he was appointed Electrical Inspector on contractual basis and the contract expired on 20.04.2010 and no one was appointed after 20.04.2010. This fact indicates that no purpose is served in calling upon the said Electrical Inspector to answer the complaint on the information sought.

4. However, the provisions of section 5(1) of the RTI Act mandates any Public Authority to designate an officer as Public information Officer for the purpose of providing information under the RTI Act to any information seeker. It is immaterial whether this officer is on contractual basis or not. Since there is no Public Information Officer appointed under the RTI Act, the Public Authority of State Electrical Inspectorate to designate an officer as Public Information Officer within the period of thirty days from the date of receipt of this order and upon the appointment, the said Public Information Officer to decide the information sought by the Complainant in the request dated 30.06.2009 in accordance with the provisions of section 7(1) of the RTI Act.

With these observations the Complaint is disposed off.

Sd/-
(Afonso Araujo)
State Information Commissioner

