

GOA INFORMATION COMMISSION

Ground Floor, "Shrama Shakti Bhavan", Patto Plaza, Panaji.-Goa

Appeal No. 109/2007-08

Shri T. S. Vincent
Assistant Engineer, Electricity Department,
Div XIII, Sub Div. III (Amona),
Kadamba Plateau, P. O. Velha Goa. ... Appellant

V/s

1. Public Information Officer,
Suptdg. Eng., Circle II (North),
Electricity Department, Panaji - Goa ... Respondent No.1
2. Public Information Officer
Executive Engineer (Plg.),
Electricity Dept., Panaji - Goa ... Respondent No.2.
3. first Appellate Authority,
The Chief Electrical Engineer,
Electricity Department, Panaji - Goa Respondent No. 3

CORAM:

Shri A. Venkataratnam
State Chief Information Commissioner
&
Shri G.G. Kambli
State Information Commissioner

(Per G.G. Kambli)

Dated: 18/03/2008.

Appellant in person
Advocate Mrs. Harsha Naik for the Respondents.

ORDER

In this order, we will confine ourselves to the limited point of the maintainability of the two separate applications both dated 27/08/2007 seeking certain information from the Public Information Officer of the Electricity Department under the Right to Information Act, 2005 (for short the Act).

....2/-

2. It is seen that both these applications were made by the Appellant in his official capacity as Assistant Engineer and not in his individual capacity as Citizen. We have already held a view in Complaint No. 25/2006, M/s. Lalka Associates V/s Commissioner of Commercial Taxes, Panaji and reiterated in several cases that the right to seek information under the Act is conferred only on the natural person and not on legal person like company, Firms and Unions etc.

3. In the instant case the Appellant has sought the information in his official capacity and also filed the Appeal before the First Appellate Authority, as Assistant Engineer in his official capacity. Therefore, both the applications of the Appellant dated 27/08/2007 were not maintainable under the Act and consequently the same were liable to be rejected. Hence, we reject the present Appeal of the Appellant without going into the merits of the case.

Announced in the open court on this 18th day of March, 2008.

Sd/-
(G.G. Kambli)
State Information Commissioner

Sd/-
(A. Venkataratnam)
State Chief Information Commissioner

