



ABSTRACT

Estt –APEPDCL – Right to Information Act, 2005 (Act 22 of 2005) Section 22 of Act, 2005 (Central Act) – Obligation under Sections 4(1)(a)/4(1)(b) and under Section 5 of the Act – Certain posts Re-designation – Orders – Issued.

E.O.O. (HRD) Ms No: 217

Dated:23-09-2005

1. D.O. Letter No: 4670/CCB/2003-5, dt. 23.08.05 received from the Principal Secretary to Government, Energy Department, A.P. Secretariat, Hyderabad.
2. The Right to information Act, 2005, dated 21-06-2005.

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ORDER:

The Government in regard to Right to Information Act, 2005 (Act 22 of 2005) which received the assent of the President of India, which has come into force w.e.f. 15-06-2005. Wherein while enclosing the Right to Information Act, 2005 and Circular Instructions issued by the General Administration (I&PR-II) Department requested to initiate action to comply with the instructions therein.

2. The Public Authority has been defined in Section 2(h) of the Act as follows:

“**Public Authority**” means any Authority or Body or Institution of Self-Government established or constituted:-

- a) by or under the constitution;
- b) by any other law made by the Parliament;
- c) by any other law made by the State Legislature;
- d) by notification issued or order made by the appropriate Government, and includes any:-
 - (i) body owned, controlled or substantially financed;
 - (ii) non-Government organization substantially financed.

directly or indirectly by funds provided by the appropriate Government;

3. As per the Act each Public Authority has to fulfill certain obligations before expiry of 100/120 days from the commencement of the Act i.e. by 23-09-2005/12-10-2005.

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4. Section 4 (1) (a) of the Act casts an obligation on each Public Authority to maintain records. The section reads as follows:

Sec.4 (1) (a): Every Public Authority shall –

maintain all its records duly catalogued and indexed in a manner and the form which facilitates the right to information under this Act and ensure that all records that are appropriate to be computerized are within a reasonable time and subject to availability of resources, computerized and connected through a network all over the country on different systems so that access to such records is facilitated;

5. Section 4(1) (b) of the Act casts an obligation on each Public Authority to publish within expiry of 120 days from the commencement of the Act, manuals on the following 17 items:

- (i) the particulars of its organization, functions and duties;
- (ii) the powers and duties of its officers and employees;
- (iii) the procedure followed in the decision making process, including channels of supervision and accountability;
- (iv) the norms set by it for the discharge of its functions;
- (v) the rules, regulations, instructions, manuals and records held by it or under its control or used by its employees for discharging its functions;
- (vi) a statement of the categories of documents that are held by it or under its control;
- (vii) the particulars of any arrangement that exists for consultation with, or representation by the members of the public in relation to the formulation of its policy or implementation thereof;
- (viii) a statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public and the minutes of such meetings are accessible for public;
- (ix) a directory of its officers and employees
- (x) the monthly remuneration received by each of its officers and employees including the system of compensation as provided in its regulations;
- (xi) the budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made;
- (xii) the manner of execution of subsidy programmes including the amounts allocated and the details of beneficiaries of such programmes;
- (xiii) particulars of recipients of concession, permits or authorizations granted by it;
- (xiv) details in respect of the information, available to or held by it, reduced in an electronic form;
- (xv) the particulars of facilities available to citizens for obtain information including the working hours of a library or reading room, if maintained for public use;
- (xvi) the names, designations and other particulars of the Public Information Officers;
- (xvii) Such other information as may be prescribed and thereafter update these applications every year;

6. As per Section 19 Sub-Clause (1):

“Any person who, does not receive a decision within the time specified in Sub-Section (1) or Clause (a) of Sub-Section (3) of Section 7, or is aggrieved by a decision of the Central Public Information Officer or State Public Information Officer, as the case may be, may within thirty days from the expiry of such period or from the receipt of such a decision prefer an appeal to such officer who is senior in rank to the Central Public Information Officer or State Public Information Officer as the case may be, in each public authority”.

7. As per Section 5:

- (1) Every Public authority shall, within one hundred days of the enactment of this Act, designate as many officers as the Central Public Information Officers or State Public Information Officers, as the case may be, in all administrative units or offices under it as may be necessary to provide information to persons requesting for the information under this Act.
- (2) Without prejudice to the provisions of sub-section (1), every public authority shall designate an officer, within one hundred days of the enactment of this Act, at each Sub-Divisional level or other Sub-District level as a Central Assistant Public Information Officer or a State Assistant Public Information Officer, as the case may be to receive the applications for information or appeals under this Act for forwarding the same forthwith to the Central Public Information Officer or the State Public Information Officer or Senior Officer specified under Sub-Section (1) of Section 19 or the Central Information Commission or the State Information Commission, as the case may be:

8. In compliance with the above statutory obligations all the section heads of the APEPDCL should immediately take the following action:

- a. (i) to maintain records as prescribed in Section 4(1) (a).
- (ii) to publish manuals about the working of the Eastern Power Distribution Company of A.P., on or before 12-10-2005 as prescribed in section 4 (1) (b).
- (iii) to designate by 23-09-2005 for Eastern Power Distribution Company of A.P. Limited
 - “State Public Information Officer” under Section 5(1) of the Act in all administrative units or offices under it as may be necessary to provide information to persons requesting for the information under this Act.
 - “State Assistant Public Information Officer” under Section 5 (2) of the Act at each sub-divisional level or sub-district level to receive the applications for information or appeals under this Act for forwarding the same forthwith to the State Public Information Officer or senior Officer specified under Sub-Section (1) of Section 19 or the State Information Commission.

“Officer who is senior to the State Public Information Officer” to receive applications for information or appeals sent by the State Assistant Public Information Officers under Sub Section (1) of the Section 19 of the Act.

8. After careful consideration the APEPDCL hereby designate the following officers as State Public Information Officer and State Assistant Public Information Officer in respect of APEPDCL to provide information to persons requesting for the information under this Act.

Manager (Corporate Communications) - State Public Information Officer of the APEPDCL

Assistant Engineer/Technical - State Assistant Public Information Officer of the respective Circle Office.

9. The Manager (CC)/APEPDCL to collect all the required information under the Act U/S-5 and to take steps for placing it on the website.

10. The Director (Finance & HRD)/APEPDCL will act as the Appellate Authority under Section 19(1) of the Right to Information Act, 2005 in respect of APEPDCL.

(BY ORDER AND IN THE NAME OF EASTERN POWER DISTRIBUTION COMPANY OF A.P. LIMITED)

G. SAI PRASAD
CHAIRMAN & MANAGING DIRECTOR

To
The Manager (CC)/CO/EPDCL/Visakhapatnam
Through the Director (Finance & HRD)/APEPDCL/Visakhapatnam
The Assistant Engineer/Technical
Through the Superintending Engineer/Operation/

Copy to:

The Principal Secretary to Government, Energy Department, A.P. Secretariat,
Hyderabad – 500 022.

The P.S to CMD/APTRANSCO/Vidyut Soudha/Hyderabad

The Divisional Engineer/Tech to CMD/EPDCL

All CMDs/Discoms.

All Directors/APEPDCL

All Chief General Managers/APEPDCL

All Superintending Engineers/General Managers/APEPDCL

The Company Secretary/APEPDCL

The Chief Vigilance Office/APEPDCL/Visakhapatnam

All Assistant Secretaries/APEPDCL/Visakhapatnam

The Pay Officer/APEPDCL/CO/Visakhapatnam

All Sections in HRD Wing/APEPDCL/Visakhapatnam

The Stock

C.No: CGM/HRD/Estt/T/F.No. 1936/05

//FORWARDED :: BY ORDER//

PERSONNEL OFFICER

