

വിവരങ്ങൾ നൽകാനായി കൂടുതൽ സമയം ആവശ്യപ്പെടുന്നതിന് വിവരാവകാശ നിയമത്തിൽ വ്യവസ്ഥയില്ല. പരമാവധി 30 ദിവസത്തിനുള്ളിൽ അപേക്ഷ തീർപ്പാക്കിയിരിക്കേണ്ടതാണ്.

The question that arises for consideration is whether the appellant was entitled for the information within the stipulated time as per the RTI Act?

When the case was taken up for hearing on 21.2.2009, the appellant was absent. No representation was received from his side. The SPIO & PA to Secretary, Smt.P. Subramanyam had appeared and preferred an affidavit. The affidavit given by her is most unsatisfactory and devoid of the details in this case. It is an admitted fact that on 23.1.2008, an Ex-Municipal Committee Standing Chairman had preferred a request for two items of information with regard to the decision taken for the acquisition of land for private bus stand-cum-lorry stand and another one was for acquisition of land and valuation statement. The file numbers of the documents were specifically mentioned in the request as PW6-5479/97 and PW6-8875/07. Those files pertain to the municipality and deals with important public issues with public interest involved in it. A casual statement was provided to him. The PIO had demanded another 30 days time for tracing out the first file. This is quite unfamiliar treatment under the scheme of the RTI Act. Every information is to be provided within a time schedule fixed under S.7(1) ie., the maximum number of days available for the PIO is 30 days. In spite of this legal mandate he has demanded for more days that too after having taken a period of about two weeks. Even today, the file is not forthcoming and the information has not been furnished. It relates to the year 1997 and also relates to the council meeting. The PIO and the concerned person were under an absolute obligation to find out the document or reconstruct the same utilising available sources. However, the requester/appellant shall not be deprived of his legitimate right of getting copies of the document demanded.

Therefore, the PIO is hereby directed to re-construct the file and provide the information, free of cost, within 10 days.

Dated this the 26th day of February, 2009.