

നിയമങ്ങളും ചട്ടങ്ങളും വ്യാഖ്യാനിച്ച് പബ്ലിക് ഇൻഫർമേഷൻ ഓഫീസർ ഒരു നിഗമനത്തിലെത്തി അപേക്ഷകന് മറുപടി നൽകുക എന്നത് വിവരാവകാശ നിയമത്തിന്റെ പരിധിയിൽ വരുന്നില്ല. ഓഫീസിൽ **readily available** ആയ വിവരങ്ങൾ അതേ അവസ്ഥയിൽ അപേക്ഷകന് ലഭ്യമാക്കുക എന്നുള്ള കാര്യമാണ് വിവരാവകാശ നിയമത്തിൽ വിഭാവന ചെയ്യുന്നത്

The question now before the Commission is whether the request made by the Appellant is information within the meaning of the RTI Act?

It is true that the Appellant had preferred a questionnaire before the PIO. It contained 7 specific questions to be answered and all the questions are framed in such a way so as to obtain interpretations and explanations with regard to the incongruity, inconsistency and imperfections in Govt. Orders issued at various point of time to meet various contingencies and circumstances. The Appellate Authority had also pointed out that a time bound reply was almost impracticable to answer such a questionnaire. The Commission had scrutinized the nature of the questions and do agree with the remarks of the Appellate Authority. Of course, the word information under the RTI Act includes opinions, advices, press releases, circulars etc. But these are specific pieces of information held and available by the Public Authority and not information that is to be deducted or inferred or worked out by the PIO. The concept is to seek a definite information as readily available with the public authority.

In this connection, the Commission would like to observe that what the Appellant had sought was not specific information but seeking certain clarifications/interpretations etc., of the Rules. This would not come under the purview of the RTI Act. What is contemplated is provision of information as held by the public authority. Since the Appellant had not sought specific information, the Commission feels that his original request does not qualify to be treated as a request at all as coming under Section 6 of the RTI Act and, therefore, it doesn't merit time bound consideration by the public authority as stated by him.

The appeal is, therefore, dismissed.

Dated this, the 9th day of May, 2007.

Palat Mohandas,
Chief Information Commissioner

P.N.Vijaya Kumar,
State Information Commissioner