

“why the Department of Legal Affairs did not amend/ review the ILS rules so far?” എന്നിങ്ങനെയുള്ള ചോദ്യങ്ങൾ വിവരാവകാശ നിയമത്തിലെ ‘വിവരം’ എന്ന നിർവ്വചനത്തിൽ വരാത്തതിനാൽ അപേക്ഷകന് ഇതുമാധി ബന്ധപ്പെട്ട വിവരങ്ങളടങ്ങിയ രേഖകൾ പരിശോധിക്കുകയോ അവയുടെ പകർപ്പ് ആവശ്യപ്പെടുകയോ ചെയ്യാവുന്നതാണ്

5. We have carefully gone through the records in this case and heard the arguments of the appellant. A perusal of the type of information requested by the appellant revealed that his was not so much a request for information, but was a set of questions regarding why the public authority had not taken certain actions and when, if at all, would it take those actions. We attempted to elicit from the appellant as to how, in his view, his request for information could be brought within the scope of Section 2(f) of the RTI Act. The definition of information, as it occurs in Section 2(f), lays down the scope of the type of information a petitioner can seek. The underlying idea is clearly that the petitioner's entitlement for information is only in respect of the categories of information mentioned in Section 2(f). It is not open to an appellant to ask, in the guise of seeking information, questions to the public authorities about the nature and quality of their actions. The RTI Act does not cast on the public authority any obligation to answer queries, as in this case, in which a petitioner attempts to elicit answers to his questions with prefixes, such as, why, what, when and whether. The petitioner's right extends only to seeking information as defined in Section 2 (f) either by pinpointing the file, document, paper or record, etc., or by mentioning the type of information as may be available with the specified public authority. He can, for example, ask for all records pertaining to decision regarding amendments to and review of ILS rules, but not “why the Department of Legal Affairs did not amend/ review the ILS rules so far?”

6. In view of the fact that the request of the petitioner is not clearly defined in terms of Section 2 (f) of the RTI Act, we have no option but to reject his appeal. He may, if he so chooses, file his application once again before the appropriate PIO spelling out clearly the information (as per Section 2(f)) he might be needed.

Sd/-
(A.N. TIWARI)
INFORMATION COMMISSIONER

Sd/-
(DR. M.M. ANSARI)
INFORMATION COMMISSIONER