

വിവാദകാരാ നിരവധിപ്രകാരം ആവശ്യപ്പെട്ട ഫയൽ നഷ്ടപ്പെട്ടിട്ടുണ്ടെങ്കിൽ അത് കണ്ടുപിടിക്കാനുള്ള ശ്രമം നടത്തേണ്ടതാണ്

In this case, the Commission observed that the information requested by the appellant was related to a petition submitted by him against unauthorised construction of building in a public road. The public authority owes a duty to keep all the files as prescribed under S.4 of RTI Act. The argument of the SPIO that the file could not be traced out is not tenable under the eye of law. Either the file should be destroyed as per the due procedure evolved in the MOP or should be kept as instructed u/s.4 of RTI act.

Hence, the Commission order that a thorough search should be made to retrieve the file and provide the information required, within 30 days of receipt of this order. If the file is not retrievable, even after genuine effort, the SPIO should file an affidavit accordingly before the Commission after the search.

The Appeal Petition is disposed off accordingly.

Dated this the 7th day of April, 2010.