

Machine ഉം Instrument ഉം പരിശോധിക്കുക എന്നത് വിവരാവകാശ നിയമത്തിലെ വകുപ്പ് 2(f) പറയുന്ന Right to information എന്നതിൽ വരുന്നില്ല

The Commission observe that the appellant requested for the inspection of the breath analyser under item No.3 of his RTI application dated 10-8-2009. The definition of "Right to Information" is clearly provided U/s 2(f) of RTI Act.

Right to information means, the right to information accessible under this Act which is held by or under the control of any public authority and includes the right to (i) inspection of work, documents, records"

Section 2(j)(i) of the RTI Act provides for only inspection of work, documents and records. There is no provision for inspection of any machine or instrument, under the provisions of the RTI Act. So the stand taken by the SPIO and Appellate Authorities are according to law. As the Breath Analyser was donated by a well-wisher the copies of Voucher, Bill, Guarantee Card etc. are not held by the Public Authority. Hence it cannot be accessed by the appellant U/s 2(f) of RTI Act. During the period of seeking the information, no Breath Analyser was available in the other Police Stations under the control of the Assistant Commission of Police, - - - - - . Hence the information requested under item No.1 and 2 of the RTI application were not in existence and hence the same could not be provided by the Public Authority. Therefore the stand taken by the SPIO and appellate Authority is upheld. No further intervention s required. The apple petition is disposed of accordingly.

Dated this the 9th day of August 2011.