



The State Information Commission, Kerala

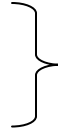
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CP.No. 435/2007/SIC

Sri. Cherian Varkey
Valuparampil House
Near Govt. Hospital
Thiruvalla.



Requester

Vs

Public Information Officer
Kerala State Electricity Board
Pattom.



Respondent

ORDER

Today when the Complaint Petition was taken up for hearing Mr. Cherian Varkey, the requester in this case was absent. No excuse petition was received. The Public Information Officer Mr. V. Madhavan, Administrative Officer, Kerala State Electricity Board, Vydyuthibhavan, Pattom was present.

Mr. Cherian Varkey had preferred a request under section (6) of the Right to Information Act on 3.5.2007. The request, in original was marked as Ext. A1. In the said request, the requester had requested for two documents, (i) a Board Order dated 31.12.1973 and (ii) a circular No. EBEW-GI/2000 dated 17.11.2000. The request

was addressed to the Public Information Officer, Electricity Board, Vidyuthabhavan, Pattom.

The Public Information Officer had preferred a written affidavit. In it, it was stated that the request Ext. A1 was received in his office on 10.5.2007. The Board Order was dated 31.12.1973. That was an order of about 34 years old. It was a tremendous task to trace out such a Board Order. However, a creditable work was done by the Public Information Officer in tracing out this order. The Board Order mentioned was furnished. The circular mentioned was also furnished. Copies of the Board Order and the circular were also produced along the affidavit.

The question that rises for consideration is whether the information was disseminate within the time frame of Right to Information Act ?

The requester was conspicuously absent. The requested document was a document of antiquity. It was unearthed and excavated with a laborious task was actually furnished on 17.7.2007. The forwarding letter of the same was marked as Ext A2. Actually there was a delay of 37 days. In the normal course of events the section 20 warrants a penalty. But considering the peculiar circumstances in this case for tracing out a 34 year old document, the delay caused could be excused. The Public Information Officer had brought up the extenuating circumstances. There was no proper indexing and keeping of records in the Head Office regarding Board Orders. Hundreds of orders are issued and tracing out the same after a certain period was an

impracticability. However, the prompt disposal of the case had to be appreciated and the labour that was exerted was also to be appreciated . In finding out and tracing out the document. The Public Information Officer is exonerated from all the allegation of delay. The delay was inevitable and hence there is no merit in the complaint and the same is dismissed.

Dated this the 14th day of November 2007.

Authenticated copy

Secretary to Commission