



## The State Information Commission, Kerala

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CP.No. 512/2007/SIC

File No. 4541/SIC-G3/2007

Sri. P. Balan  
Retd. Sub Inspector  
Abhilash, Kaithery,  
Ayitharamambram,  
Kannur - 670 643



Requester

Vs

Public Information Officer  
Revenue Department  
Government Secretariat  
Thiruvananthapuram.



Respondent

### ORDER

Today when this case was taken up for hearing the requester, P. Balan was absent. The Public Information Officer, Revenue Department, Government Secretariat, Thiruvananthapuram was present. The case of Mr. Balan was that on 16.4.2007 he had preferred a request under the Right to Information Act before the Public Information Officer, Office of the Chief Minister, Secretariat, Thiruvananthapuram. Copy of the same was also sent to the Principal Secretary, Revenue Department.

The reports preferred in this matter by Mr. Y. John, State Public Information Officer was that, the requests were dated 24.11.2004 and

29.11.2005. These were two grievance petitions reportedly sent to the Chief Minister's Office. But the request under Right to Information Act was dated 16.4.2007 marked as Ext.A1. Those requests dated 24.11.2004 and 29.11.2005 were allegations against a Revenue Divisional Officer one Mr. A.C. Mathew. Those complaints were not seen received in the Secretariat. Therefore, no action was initiated on those requests. On 21.5.2007, a reply was sent to the said requester by registered post and the same was returned to the section because of incorrect address.

*The question that arises for consideration is whether there was any delay in this case or not ?*

It is true that, a request under Right to Information Act was mooted by P. Balan marked as Ext.A1. But the action taken on the requests dated 24.11.2004 and 29.11.2005 could not be intimated because no such complaints were seen received in the office of the Chief Minister as per report of the Public Information Officer. Moreover, what was requested was not an Information ? It was a grievance petition against misbehavior of a Revenue Divisional Officer. The fact that the request was not received in the Secretariat could not be intimated to the requester, because of the incorrect address. Right to Information Act is intended for furnishing information and not for redressal of grievance.

However, no inordinate delay is noticed in this case. The reply to Ext. A1 was seen send on 21.5.2007 by Post. But the same was returned due to incorrect address. The copy of the forwarding letter and photo copy of the cover were also produced along with the remarks and marked as Ext.A2 & Ext.A3. The non receipt of information requested was due to the absence of the original petitions dated 24.11.2004 and 29.11.2005. Hence, there is no merit in the complaint and the same is dismissed.

Dated this the 27<sup>h</sup> day of November 2007.