



## The State Information Commission, Kerala

Punnen Road, Thiruvananthapuram - 695 039

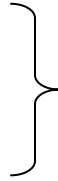
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CP.No. 514/2007/SIC

File No. 4652/SIC-G1/2007

SRI. C.K. Gopi  
Sivas House  
Ettumanoor P.O  
Kottayam - 686 631.



Requester

Vs

Public Information Officer  
Travancore Devaswam Board  
Nandancode  
Thiruvananthapuram.



Respondent

### ORDER

Shri. C.K. Gopi is the requester in this case. On 3.7.2007 he had preferred a complaint before the State Information Commission alleging that he has not received the information for a request made by him on 22.5.2007. Along with the complaint copy of the request for information was also enclosed. It contained a very lengthy illustration of incidents leading to some dispute between Ettumanoor Devaswam & Ettumanoorappan Bhaktha Jana Sangam. However, the questionnaire with 15 questions enclosed along with

the complaint was marked as Ext.A1a for the sake of continuity. The questions were with regard to Devaprasnam religious rituals in the temple and certain other traditional ceremonies etc.

The remarks of the Devaswam Public Information Officer was called for. It was reported by the Information Officer that the request Ext. A1 and A1(a) was seen dated 22.5.2007. But was actually received in the office only on 5.6.2007. Because it was a lengthy questionnaire containing 15 questions with only 10 Rupees stamp information was furnished, for the first questions only and that was on 30.6.2007. That was well within the time limit. The reply furnished to the first questions was marked as Ext. A3. Thereafter the questionnaire was forwarded to Assistant Commissioner, Ettumanoor Devaswam because it was closely connected with that Devaswam and the reply furnished by the Assistant Commissioner for the whole questions were furnished to the requester as Ext.A4. That was dated 12.10.2007.

*The questions that arises for consideration is whether there was any delay in furnishing the information?*

When the case was taken up for hearing on this the 11<sup>th</sup> day of December, the Assistant Public Information Officer, Office of the Devaswam Commissioner Office, Sri. R. Ravisankar was present. The requester was conspicuously absent. It was submitted that the Public Information Officer during the relevant period had retired from service. The requests according to

the office copy produced was dated 4.6.2007. However, as per Ext.A3, a reply was furnished on 30.6.2007 itself. The Public Information Officer was under a misconception that for each question there should be a separate application. This was a total misinterpretation of the act. After furnishing the information for the first item the Public Information Officer kept silent. But on receipt of information from the office of the State Information Commission, the matter was forwarded to Devaswam Office, Ettumanoor and information was received from the Assistant Devaswam Commissioner. It was furnished to the requester subsequently. The affidavit preferred by the present Information Officer would swear to the fact that information had been furnished. But the questions 2 to 15 were not answered because of the lack of affixture of sufficient stamp.

The date was delayed till 15.10.2007. But, the first answer was furnished within the time frame. A close scrutiny of the questions would show that many of the questions asked by the requester were hypothetical and imaginary ones. There could not be any concrete answers for them. It could be easily deduced that many of the questions do not fall within the meaning of information. For eg:-

1. കാലാവധി കഴിഞ്ഞിട്ടും നാലാംഘട്ടമായ സാർണ്ണധ്വജ പ്രതിഷ്ഠ എന്ന് നടക്കും? എങ്ങിനെയാണ് നടപ്പാക്കാൻ ഉദ്ദേശിക്കുന്നത്?
2. ക്ഷേത്രത്തിൽ നടയ്ക്ക് കെട്ടുന്ന കാളകളുടെ സംരക്ഷണത്തിന് എന്ത് നടപടി സ്വീകരിച്ചു?
3. മറ്റു ക്ഷേത്രങ്ങളിലെ പോലെ ക്ഷേത്രത്തിലെ മാല കെട്ടുന്നത് ലേലം ചെയ്യുന്നതിന് സാധിക്കാത്തത് എന്ത് കാരണത്തിലാണ്? ഒരു മാലയ്ക്ക് എത്ര രൂപാ നിരക്ക് എന്ന് പരസ്യപ്പെടുത്താത്തത് എന്ത്?

These questions are not meant for any definite answers. Information meant any material in some form including records and documents. An unprecipitated indefinite and abstract thing or observation or a probability cannot be classified as information. However, the Public Information Officer had taken care to furnish the first information in time and slept over the other information on a technical ground that independent request have not been filed. The Public Information Officer was wrong in insisting separate request for separate information. He should have rejected the entire request because it was hypothetical imaginary and there existed no information at all. Therefore, the question of delay does not arise in this case. However, the Public Information Officer had taken care to furnish detailed answers which could be taken for granted as information and hence no further action and the complaint is dismissed.

Dated this the 11<sup>th</sup> day of December 2007.

Authenticated copy

Secretary to Commission