

C. P. No. 45/2007/SIC

Sri N. Gopinathan,  
"Gokulam",  
Avalookunnu P. O.,  
Alappuzha.

} Requester

Vs.

The Public Information Officer,  
Ambalapuzha Devaswom,  
Ambalapuzha.

} Respondent

ORDER

The requester in this case is Dr. N. Gopinathan, Alappuzha. He has made a request before the Administrative Officer of Ambalapuzha Devaswom on 2-10-2006 to furnish the following information:—

1. അമ്പലപ്പുഴ ക്ഷേത്രത്തിൽ പള്ളിപ്പാന എത്ര വർഷം കൂടുമ്പോഴാണ് നടത്തപ്പെടുന്നത്?
2. പള്ളിപ്പാന നടത്തുന്നത് വേലൻ സമുദായമാണോ?

He did not receive the information in time and hence the complaint. The remarks of the Administrative Officer was called for.

When this case was taken up, for hearing Mr. C. R. Radhakrishna Kurup, Administrative Officer, Ambalappuzha Devaswom was personally present. The remarks of the Devaswom Officer was to the effect that the information was furnished to the said Dr. N. Gopinathan on 19-1-2007.

In the personal hearing, the requester had denied that he had received the information. The Administrative Officer had appeared, and had filed an affidavit stating that the information was given to the requester by ordinary post on 19-1-2007 and again by registered post on 10-5-2007 and finally the 3rd time by registered post with acknowledgement due on 23-5-2007. The acknowledgement was also produced.

*Now the question was whether the information was delayed for more than 30 Days?*

In the remarks, the Administrative Officer had reported that the information was given on 19th of January 2007. So the delay caused was for a period from 2-10-2006 to 19-1-2007. There was a delay caused for 108 days. This was a case wherein the Public Information Officer can take 30 days for furnishing the information. After deducting 30 days, the number of days delayed are 78 days. Submission was made by the Public Information Officer, regarding the nature of information to be furnished. The information requested were the number of years taken for conducting the religious ritual called "Pallippana" and who were the "Tanthries" authorized to conduct the festival of "Pallippana". According to the Public Information Officer, this was not an information readily available with the temple or anywhere in the Devaswom records. It was not an information available in the ordinary course of events.

Mainly the rituals are religious practices followed from time immemorial for there was no final source of record. He had to depend on hereditary information or information received from elders, ancestors and such other ceremonial functionaries. The Public Information Officer gathered the information from some of the 'Tanthries' and very old people of the locality. What was disclosed was the information gathered from the surroundings. It was not an information held with the Public Information Officer or held by public authority.

The Public Information Officer could have very well rejected the petition saying that no such information was available in the office. Instead he had collected the information and furnished the same. In such circumstances the Commission do not find that, this strict time frame could be maintained. Therefore, the delay caused was one that could be excusable. The interesting part of it was that the information had no authenticity at all.

"Pallippana" was a customary ritual based on hearsay information and tradition. Disseminating of the same after the expiry of the time limit was not intentional flouting of the mandates of the Act. Hence the Public Information Officer is exonerated.

Dated this the 5th day of December, 2007.