



Before The State Information Commission, Kerala
Punnen Road, Thiruvananthapuram-695 039.

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AP.No.300/2007/SIC
File No.3286/SIC-Gen-3/2006

Shri.M.K.Haridas,
773, Ashirwad,
Tagore Road,
Vytila.P.O
Kochi-19.



Appellant

Vs

Public Information Officer and
Addl.Secretary,
Home (SS A) Department,
Govt. Secretariat,
Thiruvananthapuram.



Respondents

Appellate Authority and
Principal Secretary to Govt,
Home Department,
Govt. Secretariat,
Thiruvananthapuram.

ORDER

This is a second appeal preferred by one Mr.M.K.Haridas u/s.19(3) of the RTI Act. A brief account of events leading to the filing of the second appeal could be narrated as follows:-

The appellant is an activist. On 6.3.2007, he had preferred a request before the PIO of the O/o.the Chief Secretary, Secretariat, Trivandrum, the same is marked as Ext A1. The request contained 5 questions and they are:-

1. 1992 മുതൽ ഏതൊക്കെ ആവശ്യങ്ങൾക്കായി കാലാകാലങ്ങളിലെ സർക്കാർ അന്വേഷണ കമ്മീഷനുകളെ വച്ചിട്ടു ഴ്?

2. 1992 ജനുവരി മുതൽ 2007 ജനുവരി വരെ നിയോഗിച്ച കമ്മീഷനുകളുടെ ചെയർമാൻമാരുടെ വിവരവും നിയോഗിക്കപ്പെട്ട അന്വേഷണങ്ങളുടെ വിവരവും.
3. ഓരോ അന്വേഷണകമ്മീഷനും (1992 ജനുവരി മുതൽ 2007 ജനുവരി വരെ) സംസ്ഥാന ഖജനാവിൽ നിന്നും ചിലവായ തുകയുടെ വിശദവിവരങ്ങൾ.
4. 1992 ജനുവരി മുതൽ 2007 ജനുവരി വരെ നിയോഗിക്കപ്പെട്ട അന്വേഷണ കമ്മീഷൻ സമർപ്പിച്ച റിപ്പോർട്ടിൽ ഏതൊക്കെ അന്വേഷണ കമ്മിറ്റിയുടെ കത്ത്ലുകളിൽ കാലാകാലങ്ങളിലെ സർക്കാർ നടപടി എടുത്തു?
5. 1992 ജനുവരി മുതൽ 2007 ജനുവരി വരെയുള്ള കാലങ്ങളിൽ അന്വേഷണ കമ്മീഷനുകളെ നിയോഗിച്ച മുഖ്യമന്ത്രിമാർ ആരായിരുന്നു?

The request was transferred to the Public Information Officer of the Home Department under intimation to the requester. Since the request was an abstract one and was not specifying any particular information and since the men and material and resources were insufficient to collect the information requested, the PIO had rejected the request u/s.7(9) of the RTI Act.

The appellant, thereupon, preferred a first appeal before the Principal Secretary to Government, and Appellate Authority, Home Department. After due consideration, the Appellate Authority had also rejected the request and hence the second appeal before the State Information Commission.

The remarks of the Appellate Authority was called for. It was submitted on behalf of the Government that innumerable number of Inquiry Commissions, Commission of Inquiries under the Commission of Inquiries Act and ever so many inquiries by Cabinet Orders were conducted since 1992. It is impracticable to collect the details of each and every Inquiry Commission, its term of reference, its members, its decisions, its directions, the expenditure incurred etc. The men and material available are insufficient to collect the information and hence Section 7(9) was resorted to.

The issue that evolves for consideration is whether the request for information should be specific or not?

The questionnaire of the appellant was reproduced in its full text so as to have a clear understanding of the nature of the questions and information sought by the appellant. The appellant was never specific and was never requesting for a particular information. The request was an abstract and lucid one. It never meant the details of an event or events or anything that is defined under section 2(f) 'information' under the RTI Act. The right to information is information accessible under this Act and readily available and held by the public authority. Compilation of datas over a period of 6 years is not practicable with the limited resources available at the command of the PIO. It was further made clear that the information was all the more complicated because the action taken on each report, the name of Chief Ministers who were in office at the time of appointing of the Commission of

Inquiry *etc.*, are all details that are not easily available or readily available with the PIO. Therefore, the requester could have been more accurate, specific and matter of fact in demanding for information. The Commission feels no scope for further interference with the findings of the PIO and Appellate authority. The PIO could have issued a speaking order instead of rejecting the request u/s 7(9). Every order is expected to be a speaking order with the reasoning thereof.

There is no merit in the appeal, and therefore, dismissed.

Dated this, the 4th day of September, 2007.