

No.PER (AR)E(5)-4/2006
Government of Himachal Pradesh
Administrative Reforms Department

To

1. All Administrative Secretaries to the Govt. of H.P.
2. All Heads of Departments in Himachal Pradesh.
3. Secretary, H.P. Vidhan Sabha, Shimla.
4. All Deputy Commissioners in Himachal Pradesh.
5. Registrar, H.P. University/H.P. Agr. University, Palampur/
H.P. Horticulture University, Nauni, Solan.
6. All Superintendents of Police in H.P.

Dated: Shimla-171002 the 21st January 2011

Subject: Clarification regarding format in which the "information"
under Section 7 (9) of RTI Act, 2005 should be supplied.

Madam/Sir,

Section 7 (9) of RTI Act reads as "an information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question".

It has been observed that some people under the Right to Information Act, 2005 request the Public Information Officer (PIO) to cull out information from some document(s) and give such extracted information to them. In some cases, the applicants expect the PIO to give information in some particular Performa devised by them on the plea that sub-section (9) of Section 7 provides that an information shall ordinarily be provided in the form in which it is sought. It need be noted that the sub-section simply means that if the information is sought in the form of photocopy, it shall be provided in the form subject to the conditions given in the Act etc. It does not mean that the PIO shall re-shape the information.

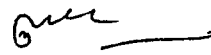
According to Section 2 (f) of the Act information means any material in any form. A citizen under the Act has a right to get material from a public authority which is held by or under the control of that public authority. The right includes inspection of work, document, records taking notes, extracts or certified copies of documents or records, taking certified samples of material taking information in the form of diskettes, floppies, tapes video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or in any other device. Careful reading of the definition of information and right to information makes it clear that a citizen has a right to get the material, inspect the material, take notes from the material take extracts or certified copies of the material, take samples of the material, take the material in the form of diskettes etc. The PIO is required to supply such material to the

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citizen who seeks it. The Act, however, does not require the Public Information Officer to deduce some conclusion from the material and supply the conclusion so deduced to the applicant. The PIO is required to supply the 'material' in the form as held by the public authority and is not required to do research on behalf of the citizen to deduce anything from the material and then supply it to him.

The applicants also request for voluminous information which could be available in many files in the same office or spread over to, say, Sub-Division, Divisional, Circle, Zonal and Head Office. In case of voluminous information the collection of information could divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question. One of the options available to the PIO is to allow inspection of records and thereafter to supply such information as the applicant may ask for. But in doing so the safety and preservation of record may be kept in view.

Yours faithfully,



Pr. Secretary(AR) to the
Govt. of Himachal Pradesh.