

No. F 10/2/2008-IR
Government of India
Ministry of Personnel, PG and Pensions
Department of Personnel & Training

North Block, New Delhi
Dated September 24, 2010

OFFICE MEMORANDUM

*Subject:—*RTI applications received by a public authority regarding information concerning other public authority/authorities.

The undersigned is directed to refer to this Department's OM of even number dated 12th June, 2008 on the above noted subject, clause (iii) of para 3 of which provides that if a person makes an application to the public authority for information, a part of which is available with that public authority and the rest of the information is scattered with more than one other public authorities, the Public Information Officer (PIO) of the public authority receiving the application should give information relating to it and advise the applicant to make separate applications to the concerned public authorities for obtaining information from them. It further provides that if no part of the information is available with the public authority receiving the application but scattered with more than one other public authorities, the PIO should inform the applicant that information is not available with the public authority and that the applicant should make separate application to the concerned public authorities for obtaining information from them.

2. The matter has been examined in consultation with the Chief Information Commissioner, Central Information Commission and it has been decided to advise the PIOs that if the details of public authorities who may have this information sought by the applicant are available with the PIO, such details may also be provided to the applicant.

3. Contents of this OM may be brought to the notice of all concerned.

(Sd.)
(K. G. Verma)
Director

Tel. 2309 2158



GOVERNMENT OF KERALA

General Administration (Co-ordination) Department

CIRCULAR

No. 69090/Cdn.5/2010/GAD. *Dated, Thiruvananthapuram, 14th October, 2010.*

**Sub:—RTI Act 2005—Reports about the victimization of people who use RTI to expose corruption and irregularities in administration
Prevention—Instructions issued—Regarding.**

Ref :—The D. O. Letter No. F. 1/15/2010-IR dated 25-8-2010 from Shri Prithviraj Chavan, Hon'ble Minister of State (IC) for Science Technology and Earth Sciences, Personnel and Public Grievances, Government of India.

In the Letter cited the Hon'ble Minister, Government of India has pointed out that a large number of RTI requests are being filed regularly across the country and this is slowly but surely changing the way Governments function right up to the filed level and many cases of corruption and mal-administration have been exposed. However, disturbing reports have appeared in the media about the victimization of people who use RTI and PILS (Public Interest Litigations) based on such information to expose corruption and irregularities in administration. There are said to be reports of murder, threatening and physical intimidation. It is stated that for the success of the RTI Act effort is to be taken to ensure creation of an atmosphere where citizens can exercise this right freely and without fear. District authorities have a crucial role in this regard and there are enough provisions in the CrPC and IPC to take strict preventive and punitive actions against those who threaten or physically intimidate the information seekers.

In these circumstances Government would like to bring this matter to the notice of all the Law enforcement authorities, the District Authorities and all other concerned that if any instance of threatening or physical intimidation and complaint of similar nature comes into notice, it should be promptly inquired into and stringent action taken against the offenders under the relevant provisions in the Indian Penal Code (IPC) and Criminal Procedure Code (CrPC). Necessary action should also be taken to generate awareness and sensitize all concerned about the importance of the Act. Preventive and punitive actions shall be taken as and when necessary.

SHEELA THOMAS,

Principal Secretary to Government (i/c).

To

All Additional Chief Secretaries/Principal Secretaries/Secretaries to Govt.
 The Secretary, Kerala Legislature Secretariat, Thiruvananthapuram
 (with C. L.)
 The Secretary, Kerala Public Service Commission, Thiruvananthapuram
 (with C. L.)
 The Advocate General, Ernakulam (with C. L.)
 The Secretary to Governor, Raj Bhavan, Thiruvananthapuram (with C. L.)
 The Secretary, State Information Commission, Kerala, Thiruvananthapuram
 (with C. L.)
 The Registrar, Kerala/Cochin/Calicut/Mahatma Gandhi/Kannur University
 (with C. L.)
 The Registrar, Kerala Agricultural University, Mannuthi, Thrissur (with C. L.)
 The Registrar, Sree Sarikaracharya Sanskrit University, Kalady, Aluva
 (with C. L.)
 The Secretary, KSEB, Thiruvananthapuram (with C. L.)
 The Managing Director, KSRTC, Thiruvananthapuram (with C. L.)
 All Heads of Departments.
 All District Collectors.
 Commissioner of Police, Thiruvananthapuram/Kochi/Kozhikode.
 All Superintendent of Police.
 The Chief Executives of all PSUs.
 The Chief Executives of all Autonomous Bodies.
 All Departments, all Officers and Sections in Government Secretariat
 including Law and Finance.

Copy to :

Secretary to Chief Minister.
 PS to Chief Minister and all other Ministers.
 AS to Chief Secretary.
 PS to Speaker and Deputy Speaker.
 PS to Leader of Opposition.
 The Director, I&PRD (for giving wide publicity through internet
 and other media).
 The Information Officer, I&PRD, Secretariat Annexe.