



RIGHT TO INFORMATION ACT-2005

TAMIL NADU INFORMATION COMMISSION

Post Box No.6405, Kamadhenu Super Market First Floor, Old No.273, New
No.378, Anna Salai, Teynampet, Chennai – 600 018. Tel : 24357580

Case No.34154/Enquiry / 2008

Date of Enquiry : 30/09/2009

Present

**Thiru.G.RAMAKRISHNAN, I.A.S.,(Retd)
STATE INFORMATION COMMISSIONER**

**Thiru T.R.RAMASAMY, I.A.S.,(Retd)
STATE INFORMATION COMMISSIONER**

**Dr.Thiru.R.PERUMALSAMY, M.A.,M.Phil., Ph.D.
STATE INFORMATION COMMISSIONER**

Petitioner

**Thiru.V. Madhav,
31/1V, Maan Sarovar Raaja Apartments,
11 A, Arcot Road, Porur, Chennai - 600 116 .**

Public Authority

**The Public Information Officer
Public Department, Secretariat, Chennai - 600 009**

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For today's Enquiry (30.9.2009), the petitioner was present. The Public Authority was represented by Thiru.S. Bharathidasan, Under Secretary to Government, Public Department, Secretariat, Chennai.

The Appeal petition dated 20th October 2008, was taken up for enquiry today (30.09.2009) by the above Bench. The petitioner has made an application under section 6(1) of the Right to Information Act, 2005 on 9th August 2008 and on its return to the petitioner, the petitioner resubmitted it on 13th August 2008. In his application, the petitioner has asked for inspection of the Registers wherein, all the communication that comes to the Chief Minister's office is registered

(usually called the Tappal Register or the Inward Register or the Inward letters Register), and then choose the communication/letter that he wants to look into. The petitioner also wanted to look at the personal registers of each staff of the Chief Minister's office or any such registers which will help him to track where each communication has went and what action has been taken on the communication.

The Public Authority has replied on 9.9.2008, rejecting the request of the petitioner under Section 7(9) of the RTI Act. Thereafter, the petitioner has preferred his first appeal on 15th September 2008, for which, the appellate authority has replied confirming the rejection by the PIO stating that the work in the Chief Minister's office is of specialized nature, assisting the Hon'ble Chief Minister in regard to various functions assigned by the Chief Minister on a day-to-day basis and the flow of tappals are received from Public, VIPs, GOI and from the officials. In addition to this, they are also receiving files from the departments of Secretariat and letters from the VIPs, which are of general/confidential/secret/Top secret nature covering various aspects of the administration all over the State. However, their office has no difficulty in producing the tappal register for perusal of the petitioner. But, the petitioner has indicated in his letter that only after going through the Tappal Register, he may choose the letter/communication which he wants to look into. In the process, it is likely that the petitioner may look into the other matters also. The receipt of tappals are not classified in Chief Minister's Office and not as indicated by the petitioner. The tappal registers are maintained in accordance with Secretariat Office Manual only and the request of the petitioner will divert the resources of the Public Authority. Hence, the request of the petitioner to permit him to inspect all the Personal Registers in the Office of the Chief Minister under RTI Act may not be feasible of compliance.

After hearing the arguments put forth by both sides, the Commission comes to the following conclusion:

That the RTI Act provides for inspection of records, registers etc., is not in doubt. Anybody who wants to inspect any register or record has to be provided necessary facilities for the same. In this case, the petitioner wants to inspect the records pertaining to the period of one year from 15th August 2007 to 15th August 2008. The purpose of inspection of the records, according to the petitioner is to track where each communication went and what action has been taken on those communications. Therefore, it is clear that the petitioner is not having any specific information in his mind to be asked for, or to be noted from the records. **Inspection of records or registers is permissible under the Act, for gathering information he requires, for taking copies of records, documents, etc.**

In this case, the petitioner does not have any information in mind, with reference to which he would like to go through the records and take copies if required. The Right to Information Act is not authorizing any petitioner to indulging in fishing and roving enquiry. In other words, the inspection of records is permissible for collection of information the petitioner requires and it cannot be allowed for ransacking the records. The Act very clearly says that the Public Authorities have to supply the information asked for by the petitioner in whatever form it is available, within a period of 30 days time limit. In the present case, there is no information asked for by the petitioner, instead he wants to inspect the Tappal Register for a whole period of one year and thereafter form an opinion as to what information he requires. **This kind of inspection of registers for a period of one year, which is akin to regular periodical office inspection by higher authorities only amount to taking the Right to Information Act for a ride.**

Therefore, the Commission feels that the rejection of the petition by the Public Information Officer and thereafter the appeal by the Appellate Authority is upheld. At the same time, the petitioner is directed to specify the requirements and make a fresh application so that the information could be supplied by the Public Authority.

STATE INFORMATION COMMISSION

Orders approved on 9th October 2009
Under orders of the Commission

(S. MOHANA DHAS)
ASSISTANT REGISTRAR

Case No.3415/2008

The Public Information Officer
Public Department,
Secretariat,
Chennai - 600 009 .

Case No.34154/2008

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