

No.10/2/2008-IR
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

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North Block, New Delhi
Dated: the 1st June, 2009

OFFICE MEMORANDUM

Subject: RTI applications received by a public authority relating to information concerning other public authority/authorities.

Attention is invited to clause (iii) of para 3 of this Department's OM of even number dated 12th June, 2008 on the above noted subject which, inter-alia, states as follows:

“It is beyond the scope of the Act for a public authority to create information. Collection of information, parts of which are available with different public authorities, would amount to creation of information which a public authority under the Act is not required to do.”

2. The Central Information Commission while deciding an appeal has observed that collection of information cannot amount to creation of information and desired that the above referred OM should be modified so as to avoid any confusion among public authorities.

3. The undersigned is directed to clarify that the OM dated 12.6.2008 does not propose to say that collection of information per se amounts to creation of information. The above referred statement has been made to emphasize that the public authority to whom the application is made is not required to collect information from different public authorities to supply it to the applicant.

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



(K.G. Verma)

Director

Tel: 23092158

1. All the Ministries / Departments of the Government of India

2. Union Public Service Commission/ Lok Sabha Sectt./ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Secretariat/ Vice-President's Secretariat/ Prime Minister's Office/ Planning Commission/Election Commission.
3. Central Information Commission/State Information Commissions.
4. Staff Selection Commission, CGO Complex, New Delhi
5. O/o the Comptroller&Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
6. All officers/Desks/Sections, DOP&T and Department of Pension & Pensioners Welfare.

Copy to: Chief Secretaries of all the States/UTs.

Copy also to : The Central Information Commission with reference to the Commission's decision dated 6.4.2009 in appeals No.CIC/WB/A/2007/01551 & 1552.