

No. 5/26/2011-1A.R.

From

The Chief Secretary to Government, Haryana,
Administrative Reforms Department.

To

All Administrative Secretaries
to Government, Haryana.

Dated Chandigarh, the 30th June, 2011

Subject:- **Decision dated 3.4.2008 of the High Court of Bombay at Goa in Writ Petition No. 419 of 2007 in case of Dr. Celsa Pinto Vs. Goa State Information Commission regarding information under the Right o Information Act, 2005.**

Sir/Madam,

I have been directed to address you on the subject noted above and to inform you that vide circular No. 1/7/2009-IR, dated 20-05-2011, Director, Government of India, Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, New Delhi, has invited attention to their previous Officer Memorandum of even number dated 1st June, 2009 on the subject mentioned above and informed that some persons have observed that the High Court of Bombay at Goa in the above referred case did not use the word 'like' in the judgment and that inclusion of this word in the O.M. before the word 'why' is creating confusion. They have further stated that the word 'like' used before the word 'why' in line 3 of the O.M. may be treated as deleted. The relevant part of the judgment is being quoted below:

"The definition of information cannot include within its fold answers to the question "why" which would be same thing as asking the reason for a justification for a particular thing. The public information authorities cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification because the citizen makes a requisition about information. Justifications are matter within the domain of adjudicating authorities and cannot properly be classified as information."

This may be brought to the kind notice of SPIOs/FAAs working under your kind control for their information.

Yours faithfully,

Sd/-

Superintendent,
for Chief Secretary to Government, Haryana,
Administrative Reforms Department