
The undersigned is directed to invite attention to this Department’s Office Memorandum of even number dated 1st June, 2009 on the subject mentioned above (copy enclosed) and to say 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 judgement and that inclusion of this word in the O.M. before the word ‘why’ is creating confusion. It is hereby 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 judgement is again 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."

2. This may be brought to the notice of all concerned.

(K.G. Verma)
Director
Tele : 23092158

1. All the Ministries/Departments of the Government of India.
2. Union Public Service Commission/Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President’s Secretariat/Vice-President’s Secretariat/Prime Minister’s Office/Planning Commission/Election Commission.
4. Staff Selection Commission, CGO Complex, New Delhi.
6. All officers/Desks/Sections, DOP&T and Department of Pension & Pensioners Welfare.

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