



**First Appellate Authority under RTI Act
O/o THE VIDYUT OMBUDSMAN
Andhra Pradesh :: Amaravati**

:: Present ::

**Vinnakota Venkata Prasad
Former District & Sessions Judge
Vidyut Ombudsman
Date: 07.03.2024**

RTI Appeal under section 19 (1) of RTI Act, 2005 under Inward No.610 dated 26.02.2024 against the order dated 15.02.2024 of PIO of Vidyut Ombudsman Office on RTI application under section 6 (1) of RTI Act, 2005 under Inward No.544 dated 05.02.2024 (on re-representation under Inward No.557 dated 13.02.2024)

Sri Gandreddi Srinivasa Rao, S/o. Karanna, D.No.50-121-24/3, FF2, Meghana Apartments, B.S.Layout, Seethammadhara, Visakhapatnam-530013,
Ph. No.9440529396 ----- Applicant

ORDER

1. This appeal dated 21.02.2024 under section 19 (1) of RTI Act, 2005 submitted by the applicant by Registered Post, was received in this office vide Inward No.610 dated 26.02.2024.
2. The RTI application dated 01.02.2024 seeking certain information, from the PIO, Office of the Vidyut Ombudsman, Vijayawada, was received by the PIO under inward No. 544 on 05.02.2024, and the same was returned to the applicant for payment of proper fee payable on the said application, and on re-presentation, the same was received by PIO under Inward No.557 dated 13.02.2024. Thereupon, the matter was disposed off by the PIO on 15.02.2024.
3. Aggrieved by the said order, the RTI applicant presented this appeal. On 28.02.2024, notice was ordered to the appellant by mail for hearing him on his appeal on video conference at 11 AM on 04.03.2024. Accordingly, link for video conference was sent to the appellant through email.

4. On 04.03.2024, the appellant was heard on video conference and the matter was posted for orders to 07.03.2024.

5. Now, the point for consideration is 'whether the appellant is entitled to the information as prayed for, and if so, is there any error in the order of the Public Information Officer, and if so to what relief?

POINT No.(i): Entitlement to the information as sought for under his queries:

6. For perspicuity, it is desirable to refer infra the queries raised by this appellant before the PIO and the answers furnished by the PIO therefor.

1)	విద్యుత్ అంబుడ్స్ మన్ డీ.ఐ.ఎస్.నేం.101 తేదీ: 18-01-2024, ఇన్వార్డ్ నేం.479, తేదీ: 17-1-2024 మరియు విద్యుత్ అంబుడ్స్ మన్ డీ.ఐ.ఎస్.నేం.102 తేదీ: 18-01-2024, ఇన్వార్డ్ నేం.480, తేదీ: 17-1-2024 సంబంధించి తమ కార్యాలయం ఇంగ్లీష్ భాషలో అభ్యంతరములు తెలియచేసియున్నారు. నేను ఇంగ్లీష్ చదువుకోలేదు. కావున తమ కార్యాలయం తెలిపిన అభ్యంతరములను నా యొక్క మాతృ భాషలో అయిన తెలుగులో అనువదించి అందచేయ్యవలసిందిగా ప్రార్థిస్తున్నాను.
Ans.	The request of the applicant seeking translation of return endorsements dated 17.1.2024 and 18.1.2024 does not amount to information within the meaning of section 2 (f) of the Right to Information (RTI) Act. In the case in between "Shri K. Madhavan Vs. CPIO, Department of Personnel & Training" the Central Information Commission, New Delhi in its order dated 14.08.2013 categorically held that the CPIO can provide the copies of the available records irrespective of the language in which those records are maintained, and that the CPIO cannot translate the contents of the available records into another language on the demand of the information seeker. Therefore, the return endorsements cannot be translated by this PIO as sought for by the information seeker and as such, the request of the applicant for supply of Telugu Translated return endorsements is impermissible under the Act.
2)	విద్యుత్ వినియోగదారుల ఫిర్యాదులను తమ కార్యాలయం స్వీకరించటానికి గాను ఆంధ్ర ప్రదేశ్ రాష్ట్ర ప్రభుత్వం జారీ చేసిన నిబంధనలు/ఉత్తర్వుల సమాచారం తెలుగులో అనువదించి అట్టస్టేషన్ చేసి అందచేయ్యండి.

Ans.	There are no instructions or orders received from the State Government of A.P., for receiving the complaints from the electricity consumers by the Vidyut Ombudsman.
3)	విద్యుత్ వినియోగదారులకు సంబంధించి విద్యుత్ సమస్యలకు, విద్యుత్ అంబుడ్స్ మన్ కు ఆంధ్ర ప్రదేశ్ విద్యుత్ శాఖ వారు జారీ చేసిన ప్రభుత్వ నిబంధనలు/ఉత్తర్వుల సమాచారం అట్టస్టేషన్ చేసి అందచేయ్యండి.
Ans.	There are no instructions or orders received from the Andhra Pradesh Electricity Department as regards electricity disputes relating to the electricity consumers and the Vidyut Ombudsman.
4)	విద్యుత్ అంబుడ్స్ మన్ కార్యాలయ నందు విచారణ జరిపే కేసులు వాటికి అనుసరింపబడుతున్న ప్రభుత్వ నిబంధనలు మరియు నేరస్తులైనా విద్యుత్ శాఖ ఉద్యోగుల పై చర్యలకు సంబంధించిన ప్రభుత్వ నిబంధనలు/ఉత్తర్వుల సమాచారం అట్టస్టేషన్ చేసి అందించండి.
Ans.	There are no instructions or orders received from the State Government of A.P., as regards the procedure to be followed for the enquiry of cases before the Vidyut Ombudsman or relating to the actions against any offending 'electricity employees.

7. So far as the queries Nos.2 to 4 are concerned, when the Public Information Officer made unqualified disclosure as required by the applicant/appellant stating that there were no orders/instructions from the State Government, there can be no dilation in the said regard. The Public Information Officer cannot be expected to negate the request of the applicant for furnishing the copies of such instructions or orders if received from the Government of Andhra Pradesh, disregarding the threat under the Act in case of furnishing any incorrect or misleading information. He cannot be expected to furnish the information which is not available. Thus, evidently, the information sought for under these query Nos.2 to 4 is nothing but the imagination of the applicant.

8. So, the unequivocal statement of the Public Information Officer stating that no instructions or orders were received from the Government of A.P or the Electricity Department of State of A.P, as regards the query Nos. 2 to 4 cannot be discredited. Consequently, this appeal as regards the said query Nos. 2 to 4 bears no merit.

9. As regards the query No.1, it appears that the applicant submitted a representation to the office of Vidyut Ombudsman, and the same was returned with certain objections and those objections raised on the representation submitted by the representationist were already communicated to the representationist, but the representationist seeks PIO for translation of those objections taken on his representation into Telugu language.

10. Therefore, under the first query, the information seeker is not seeking the available information, and in fact, the objections raised on his representation were already communicated to him, but under this query, the applicant seeks the Public Information Officer of this institution, to translate the objections which were already communicated to him, into Telugu language and to furnish such Telugu vernacular objections to him under RTI Act.

11. Section 2 (f) of the Act adumbrates that "information" means any material in any form, including records documents, memos, e-mails, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force".

12. There does not appear any provision under Right To Information Act fastening any duty on any official to translate the information available in to the language of the choice of applicant.

13. The duty under this Act attached to the officials concerned is only to furnish the information available if it does not fall within the exceptions contemplated under the RTI Act.

14. Thus, the information available can only be furnished by the PIO, and the PIO is not obligated under the Act to translate the information available into some other language as desired by the information seeker.

15. All the Government orders in this State are in English language. This State Gazette publications are also in English language, as we see. In fact, the Electricity Act promulgated by the Union Government or the Regulations made thereunder by the Hon'ble APERC are all in English language. Therefore, it is for the person who is in need to comprehend any of these to secure his own aide therefor. Same applies in the instant case also.

16. The information seeker in this appeal seeks translation of the 'Return endorsements' made on his Representation before the Vidyut Ombudsman into his

mother tongue, since he is not conversant with English language. The person who did his studies in Urdu, may seek translation into Urdu language. The applicant might have come down to this State from various States, and the translation into his/her desired/conversant language is impracticable.

17. Further, if the applicant is illiterate, the PIO cannot be expected to apprise the information to the applicant in his conversant language. Therefore, this request of the appellant is absurd and does not stand to reason.

18. The RTI Act does not contemplate establishment of translation wings or appointment of translators in all the offices falling within the ambit of the said enactment to cause translation of the information available into the language as desired by the information seeker.

19. True, as observed by the PIO in his order, **the Central Information Commission in the case in between 'Shri K. Madhavan Vs. CPIO, Department of Personnel & Training'** in the order dated 14.08.2013 vividly held that CPIO can provide the copies of the available records irrespective of the language in which those records are maintained, and **that the CPIO cannot translate the contents of the available records into another language on the demand of the information seeker.**

20. Thus, the Central Information Commission in the aforesaid case manifestly held that the CPIO cannot translate the contents of the available records into another language on the demand of the information seeker.

21. Therefore, the 'Return endorsements' made on his representation by the office of Vidyut Ombudsman cannot be translated by the PIO under RTI Act as sought for by the information seeker and as such, the request of the applicant for supply of Telugu Translated 'Return Endorsements' under the first query is evidently proscribed.

22. Therefore, this appellant is not entitled either to the Telugu translated version as desired by him under his first query, or to the information of his imagination sought for under query Nos.2 to 4, and thus, his request is unsustainable either in law or on facts. Thus, there is no error on the part of the PIO evidently in rejecting the RTI application presented before him by this applicant.

23. As a consequence, thereof, this appeal entails in dismissal.

24. **RESULT:**

In the result, this appeal under RTI Act is dismissed.

25. Section 19 (3) of 'The Right to Information Act, 2005 (No.22 of 2005)' provides second appeal against the decision of First Appellate Authority under Section 19 (1) of 'The Right to Information Act, 2005 (No.22 of 2005)' to the State Information Commission within ninety (90) days from the date on which the decision should have been made or was actually received, with the State Information Commission.

Copy of this order is made available at www.vidyutombudsman.ap.gov.in

**Sd/- Vinnakota Venkata Prasad
First Appellate Authority under RTI Act
VIDYUT OMBUDSMAN-AP**

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Phone No.9440529396 ----- Appellant.**

Copy to PIO, O/o the Vidyut Ombudsman-AP, Vijayawada

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