

Whether Wills can be separated while providing information in Electronic Format:

Various Information Commissions have held that “WILLS” are information held by the Public Authority in fiduciary relationship as laid down under Section 8(1)(e) of the RTI Act. Hence copy of WILLS cannot be provided under RTI Act as the same is exempted as per Section 8(1)(e) of the Act. It has been agreed by the Public Information Officer in Case No. KIC 91 COM 2008 DATED 17.4.2008 that while providing information earlier the service provider was NIC. But from 2004 onwards, the service provider is CMS, who have developed a software for separating the will and therefore it will be possible to separate and provide the required information to the Complainant from the year 2004 onwards. Hence information available in Computer or CD cannot be denied under the ground that it cannot be separated.