

DESPATCHED

26/05/2020

29.4.20.



STATE INFORMATION COMMISSION, KERALA
PUNNEN ROAD, THIRUVANANTHAPURAM 695 001

Tel: 0471 2561600, 2561613, 2561614, 2561615 Fax: 0471 2330920

Email: sic.ker@nic.in

Proceedings of the Appeal Petition No.1994(6)/2015/SIC
(File No.12890/SIC-Gen5/2015)

PRESENT

Vinson M. Paul, Chief Information Commissioner

Dr. Sanil Shanker K.P.

S/o P.P. Sankaran,

Mettak House,

P.O. Anjarakandy,

Kannur – 670 612.

} Appellant

1) The State Public Information Officer &
Under Secretary,
Kerala Public Service Commission,
Pattom, Thiruvananthapuram.

2) Appellate Authority &
Joint Secretary,
Kerala Public Service Commission,
Pattom, Thiruvananthapuram.

} Respondents

Date of application u/s 6(1)	12/02/2015
Date of reply furnished	10/03/2015
Date of 1 st appeal	01/04/2015
Date of decision on the 1 st appeal	06/05/2015
Date of filing 2 nd appeal	30/07/2015
Date of receipt of 2 nd appeal in the Commission	03/08/2015
Date of report called for by the Commission	31/08/2015

ORDER

Appeal Petitioner Dr. Sanil Shanker, represented before the Commission that the information sought by him was not furnished stating that third party information could not be provided. He argued that what was asked for was not third party information.

2. In his application submitted before the 1st Respondent, the Appellant sought copies of the oral statements of Smt. Sreeja S. and Sanil Shanker K.P. recorded by the Secretary-in-charge on 3.12.2014. In the reply furnished to the Appellant by the 1st Respondent, it was stated that the oral statement given by a third party is information given in confidence for law enforcement and hence exempted from disclosure u/s. 8(1)(g) of the RTI Act. The oral statement given by the Appellant need not be disseminated since he had heard it when it was read over to him by the authority who had recorded the statement. Moreover, the Appellant agreed to what was recorded and signed the statement.

3. The Appellant filed his first appeal before the 2nd Respondent stating that the information sought by him cannot be exempted u/s.8(1)(g) of the RTI Act. The information sought relates to the authenticity of the M-Governance of the Kerala PSC which is of much public interest. He further stated that he only sought copies of oral statements related with SMS delivery through M-Governance system of Kerala PSC. Reply to the above appeal was furnished by the 2nd Respondent stating that the statements referred to in the application of the Appellant were recorded as part of Court order. The above information therefore is confidential and relate to third party. The above statements are not public documents and hence the decision of the 1st Respondent was upheld.

4. The Appellant was contacted over phone from the Commission office and it was stated that the Appellant is not interested in proceeding with this appeal. As such, the Commission drops all further action on this appeal petition on the 29th day of April, 2020.

Sd/-

Vinson M. Paul
Chief Information Commissioner

Authenticated Copy


Additional Secretary(law)

