



STATE INFORMATION COMMISSION, KERALA
PUNNEN ROAD, THIRUVANANTHAPURAM 695 001
Tel: 0471 2561600, 2561613, 2561614, 2561615 Fax: 0471 2330920

Email: sic@kerala.nic.in

Proceedings of the Appeal Petition No.1152(6)/2016/SIC
(File No.5941/SIC-Gen5/2016)

PRESENT

Vinson M. Paul, Chief Information Commissioner

Dr. K. Rajan,
Associate Professor & Head,
Department of Statistics,
N.A.S. College, Kanhangad.

} Appellant

1) The State Public Information officer,
N.A.S. College,
Kanhangad, Kasargod.

} Respondents

2) Appellate Authority & Principal,
N.A.S.College,
Kanhangad, Kasargod.

Date of application u/s 6(1)	01/03/2016
Date of reply furnished	04/2016
Date of 1 st appeal	08/04/2016
Date of decision on the 1 st appeal	04/05/2016
Date of filing 2 nd appeal	09/05/2016
Date of receipt of 2 nd appeal in the Commission	13/05/2016
Date of report called for by the Commission	22/01/2020
Date of receipt of report in the Commission	-
Date & Venue of hearing	03/02/2020 – Video Conference Hall, Collectorate, Kasargod.
Presence in the hearing	: Appellant : SPIO
	Absent Present

ORDER

Appeal Petitioner Dr. K. Rajan, represented before the Commission that he had sought copies of 7 documents for which he remitted Rs. 50/- well in advance. However, the 1st Respondent provided only three documents.

Hence an appeal was filed before the 2nd Respondent with a request to issue the copies of the remaining four documents. The 2nd Respondent disposed of the appeal without supplying the remaining documents requested for. He stated that those documents were deliberately denied to him.

2. In his application submitted before the 1st Respondent, the Appellant sought copies of the following documents:

- i. Appointment order of the present Principal of Nehru Arts & Science College, Kanhangad.
- ii. List of candidates who attended the interview to the post of Principal held on 25.2.2016.
- iii. Norms prepared for the selection of the Principal.
- iv. Score Sheet of the candidates who attended the interview and so on numbering to 7 items.

Reply to the above application was furnished by providing copies of the documents sought vide items 1, 2 & 5. It was stated that the documents sought in items 3, 4, 6 & 7 were with the College management and that they were not available in the College. The Appellant filed his first appeal before the 2nd Respondent seeking documents sought in items 3, 4, 6 & 7. Reply to the above appeal was furnished stating that the documents sought in items 3, 4, 6 & 7 were not available in the College.

3. On scrutinizing the appeal petition and connected documents, the Commission finds that the documents sought by the Appellant in items 3, 4, 6 & 7 were not furnished to the Appellant as they were not available with the above public authority. The above documents were available with the school management. That be the case, the documents could not be procured from

the management which is not a public authority under the RTI Act. As such, the Commission does not find any lapse on the part of the Respondents.

4. The Commission finds that the application as well as the appeal were disposed of by the Principal of the College. Normally a senior member of the teaching faculty is appointed as the State Public information Officer and the College Principal acts as the Appellate Authority. The Principal cannot act as the SPIO and the first Appellate Authority. However, the SPIO who appeared before the Commission for the hearing stated that the above procedure has now been implemented in the college.

5. In view of the facts stated above, the Commission does not find any ground for intervention in this appeal and hence the same is disposed of accordingly on the 3rd day of February, 2020.

Sd/-
Vinson M. Paul
Chief Information Commissioner

Authenticated Copy



Additional Secretary(law)



us

