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On..2.6/2/2020
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STATE INFORMATION COMMISSION, KERALA

Punnen Road, Thiruvananthapuram- 695 001

Phone: 0471 2335199, Fax: 0471 2330920

E-mail: sic@kerala.nic.in

AP. 58 (2)/2019/SIC

(File No. 234/SIC—G6/2019)

Present

Dr.K.L.Vivekanandan, State Information Commissioner

Smt.Suja Maria Paul,
Asst.Executive Engineer,
O/o CE(RE&ES) KSEBL,
Vydyuthi Bhavanam, Thiruvananthapuram.

Vs

1. The State Public Information Officer &
The Senior Superintendent,
Vydyuthi Bhavanam, Pattom,
Thiruvananthapuram.

2. The Appellate Authority &
The Chief Internal Auditor &
Company Secretary(I/C),
O/o the Company Secretary,
Vydyuthi Bhavanam, Pattom,
Thiruvananthapuram.

Appellant

Respondents

ORDER

Date of application u/s 6(1)	31.10.2018
Date of reply from the SPIO	28.11.2018
Date of first Appeal	01.12.2018
Date of decision on the first appeal	29.12.2018
Date of filing second appeal	04.01.2019
Date of receipt of second appeal	05.01.2019

Appeal Petitioner Smt.Suja Maria Paul, in her second appeal dated 04.01.2019,(which was received in the office of the Commission on 05.01.2019), represented before the Commission that the first Respondent was not given any intimation regarding the same. She filed an appeal before the second Respondent against the above reply. The second Respondent denying the information pertaining to her is violation of human rights and denial of natural justice.

2. The above appeal was taken on file as AP.58 (2)/19/SIC and a detailed report was sought from the Respondents on 10.04.2019. The reply was furnished by the second Respondent on 03.05.2019 to the Commission.

3. The Commission conducted its hearing on 30.09.2019, the Appellant and first Respondent appeared before the Commission .

4. In her application dated 31.10.2018, the Appellant sought the following information from the first Respondent:

- i) How many Board meetings were conducted after June 20th 2018.
- ii) The above Board meetings, whether any discussion regarding the above matter was done.
- iii) The above meetings were held, to provide a certified copy of the relevant item alone.
- iv) The above discussion was not held, furnish the reason for the same.

Reply to the above application was furnished on 28.11.2018, stating that the information sought vide item No.(a) to (d) in her application are in the form of clarifications/questions which do not

fall in the definition of "Information" under Section 2(f) of the Right to Information Act, 2005 and hence her application was rejected. The Appellant filed an appeal before the second Respondent on 01.12.2018, the second Respondent to furnish the reply on 29.12.2018, stated that the appeal petition was examined in details with relevant provision of the information Act, 2005 the SPIO was requested to provide the number of Board meetings that were held after June 2018. The second question of her application was noted that the question line "whether any discussion was done during the meeting" does not come under Right to Information Act. The third question is a part of 2nd question and that cannot come under the purview of the Information Act and the 4th question was requested to provide the reason for not discussing matter in the Board meeting. The 'reason' does not come under the definition of the terms "information".

5. On scrutinizing the appeal petition and connected documents, the Commission finds that the first Respondent had provided information to the stipulated time limit. The Appellant stated that she wants the copy of minutes held by the meeting about a personal matter relating to her. But the meetings held by months of January, February and June the copy of minutes were sought by her, so she wants the subsequent minutes. The Commission finds that the information sought by the Appellant made a mistake in her application, so she filed a new application to the first Respondent. The Commission directs the first Respondent to furnish a definite reply to the Appellant with regard to the above minutes of the meetings within 20 days of receipt of this order.

6. The Commission disposes of this appeal petition accordingly on the 3rd day of January, 2020.

Sd/-
Dr.K.L.Vivekanandan
State Information Commissioner

Authenticated copy


Joint Secretary(Finance)
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