

RECORDED
ON 22/02/23.



STATE INFORMATION COMMISSION, KERALA

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AP.1022(2)/2022/SIC

(File No. 11484/SIC—G6/2016)

Present

Dr. K.L.Vivekanandan, State Information Commissioner

Adv.Manu Sreekumar,
97 TD Nagar,
Parvathy Mandiram,
Cutcherry ward, Kollam,
Pin – 691 013.

Appellant

Vs

1. The State Public Information Officer &
Deputy Registrar,
APJ Abdul Kalam Technological University,
CET campus, Thiruvananthapuram – 695 016.

Respondents

2. The Appellate Authority &
Registrar,
APJ Abdul Kalam Technological University,
CET campus, Thiruvananthapuram – 695 016.

ORDER

Date of application u/s 6(1)	25.04.2022
Date of reply from the SPIO	25.05.2022
Date of first Appeal	07.06.2022
Date of decision on the first appeal	04.07.2022
Date of filing second appeal	18.07.2022
Date of receipt of second appeal	22.07.2022

Appeal Petitioner Adv. Manu Sreekumar, in his second appeal dated 18.07.2022, represented that he had requested certain details and attested copies relating to Dr. J. Sreekumar, First Dean Academics (Retd). He stated that the reply furnished to him by the first Respondent regarding query No.1 and 3 were collusive, misleading and contravening the provisions of RTI Act. Hence he preferred an appeal before the second Respondent on 18.07.2022. The first Appellate Authority in his reply dated 04.07.2022 had reiterated the fact that the reply furnished by the Public Information Officer had no relevance to the information that the appellant had sought. To query No.1 he had clearly stated that subsequent to the request to issue a Non Liability Certificate from Dr. J. Sreekumar, all branches of the University were requested to report the outstanding liabilities if any on or before 25.08.2020 and that if no liabilities are reported within the date; Non Liability Certificate will be issued assuming that no liability is outstanding against him, although none of the branches reported any outstanding liability, a Non-Liability certificate was not issued. But regarding query No.3 the Appellate Authority failed to address the Appellant's averments properly.

2. The above appeal was taken on file as AP.1022(2)/22/SIC and a detailed report was sought from the Respondents on 12.08.2022. The report is seen furnished on 31.08.2022 to the Commission by the second Respondent.

3. The Commission fixed its hearing on 08.12.2022, the first Respondent appeared before the Commission and the Appellant authorized Dr. J. Sreekumar to appear for the hearing.

4. In his application dated 25.04.2022, the Appellant sought the following information from the first Respondent:

- i) The status of the application for Non-Liability Certificate (NLC) submitted by Dr. J. Sreekumar, First Dean Academics (Retd). The date of submission of hard copy application to the office of the Registrar by hand is 10.08.2020.

- ii) Did the office of the Registrar issue any communication to Dr.J.Sreekumar regarding his request to issue the NLC, if yes, provide a copy of the communication.
- iii) Did any syndicate member raise the issue of the inordinate delay in processing the NLC request of Dr. J. Sreekumar in any of the syndicate meetings of the University ? If yes, provide the full text of the deliberations of the member and an attested copy of the Minutes of the syndicate meeting.
- iv) The last but one paragraph of the relieving order issued to Dr. J.Sreekumar under subsection(5) of Section 14 of the APJ AbdulKalamTechnologicalUniversityAct(UO.No.1129/2020/KTU dated 11.08.2020) says "Any claims or liabilities against Dr.J.Sreekumar in respect to the University shall be fixed and informed to Dr.J.Sreekumar by the Finance Officer within a period of 6 months from the date of this order. An agreement to this effect shall be obtained from Dr.J.Sreekumar, by the Finance Officer." Did the Finance officer issue any communication to Dr. J.Sreekumar regarding any liability within a period of six months from the date of this order, If yes, provide a copyof the communication.

Reply to the above application was furnished on 25.05.2022. Aggrieved by this reply, the Appellant preferred an appeal before the second Respondent on 07.06.2022 stating that the reply furnished by the first Respondent is contravening the provisions of the RTI Act and denial of the Right to Information for citizens.

5. On scrutinizing the appeal petition and connected documents, the Commission finds that the reply furnished by the first respondent to information sought by the appellant in query No.1 and 3 cannot be accepted. The reply to query No.3 that the matter does not come under the purview of the RTI Act, whereby denying an attested copy of the Minutes of the syndicate meeting, which is a public document is tantamount to violation of the RTI Act. The first Respondent is directed

to provide an attested copy of the same within 10 days of receipt of this order. However, query No.1 has been answered by the second Respondent in his reply. Moreover, in the reply furnished by the Second Respondent he had stated that the reply forwarded by the Public Information Officer has no relevance to the information the appellant had sought. In short, the Commission finds that the first Respondent failed to provide correct and complete information to the appellant.


The above failure on the part of the first Respondent amounts to violation of the provisions of Section 7(1) of the Act, warranting penal action under section 20(1) of the Act. The Commission provisionally decides to take penal action against the then first Respondent with regard to the above lapse. He is directed to furnish his explanation within 15 days of receipt of this order lest the Commission should be constrained to issue final orders under section 20(1) of the Act. If the above Respondent wants to represent anything in person before the Commission, the same should be made clear in his explanation.

6. The Commission disposes of this appeal petition provisionally accordingly on the 13th day of February, 2023.

Sd/-

Dr. K.L. Vivekanandan
State Information Commissioner

Authenticated Copy



Joint Secretary (Finance)



Ge/-

