

**DESPATCHED**  
On... 23/06/21



6/5/21

**STATE INFORMATION COMMISSION, KERALA**  
**PUNNEN ROAD, THIRUVANANTHAPURAM 695 001**

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Proceedings of the Appeal Petition No.317 (1)/2021/SIC  
(File No.3774/SIC-Gen4/2021)

**PRESENT**

**Dr. Vishwas Mehta, Chief Information Commissioner**  
**Dated 6<sup>th</sup> May, 2021**

Sri. Nonda U. Jayarama,  
D-3, Vaishali Apartments,  
5<sup>th</sup> Cross, Gandhinagar,  
Mangalore - 575 003, Karnataka.

Appellant

1. The State Public Information Officer &  
Senior Superintendent,  
Revenue Divisional office,  
Port office Building, Kasaragod.
2. The Appellate Authority &  
Revenue Divisional Officer,  
Revenue Divisional office,  
Port office Building, Kasaragod.

Respondents

Date of application u/s 6(1)	2.1.2021
Date of reply	21.1.2021
Date of filing first Appeal	25.1.2021
Date of decision on the first Appeal	19.2.2021
Date of filing 2 <sup>nd</sup> appeal in the Commission	15.3.2021
Date of receipt of 2 <sup>nd</sup> appeal in the Commission	17.3.2021
Date of Report called for by the Commission	30.3.2021
Date of receipt of report in the Commission	27.04.2021
Date of hearing (Audio) conducted	06.05.2021 Audio
Presence in the Hearing Appellant:	Present
SPIO	Present

## ORDER

Appeal Petitioner Sri. Nonda U. Jayarama, in his 2<sup>nd</sup> appeal dated 15.3.2021, represented before the Commission that out of the four information sought information on item Nos. 3 & 4 were denied even though it was available with the public authority.

2. In his application submitted before the first Respondent, the Appellant sought the following information :

- i. Action taken on his statutory appeal of public grievances under section 21(1) of KLA Rules 1964, dated 15.1.2020
- ii. Information regarding file noting of the RDO & HOD in his above application; delaying the disposal of statutory appeal for more than one year.
- iii. Information as how many complaints/appeals have received by the RDO between 1.1.2020 to 31.12.2020.
- iv. Information as how many of such complaints and appeals have been satisfactorily disposed of and pending by the RDO and the time period on each application.

3. The first Respondent has seen furnished the available information within the time frame. After that the Appellant filed his first appeal before the 2<sup>nd</sup> Respondent stating that the reply given by the SPIO to the last two items are incomplete. The above first appeal was disposed by the second Respondent stating that the information provided by the first Respondent was in order and the information relating to item 3 & 4 were not coded and stored in that office and hence wants to examine each file one by one and it would adversely affect the day to day function and work related to General Assembly Election 2021 and directed the SPIO to allow the Appellant to examine the required documents in person at the office and to take copies of the document if required.

4. In the report furnished to the Commission by the second Respondent, he enclosed the copy of the proceedings of the 1<sup>st</sup> Appeal Authority. In this proceedings second Respondent stated that based on the examination of the appeal application and the statement of State Public Information Officer, it is seen that the SPIO has furnished available information and the information related to items 3 & 4 were not kept in that office in a consolidated manner. Hence as

per Section 2(J) of the RTI Act, 2005 SPIO is directed to allow the petitioner to examine the required documents in person and if required copies of the documents should be provided.

5. On scrutinizing the appeal petition and connected documents the Commission finds that the information as readily available has been furnished by the Respondents. The contention of the Respondents that the information is scattered in 12 sections and collecting the information from 12 sections will affect the normal functioning of the office is not acceptable. SPIO is directed to furnish available information in item no.3 & 4 of the RTI application by 22<sup>nd</sup> May 2021. The second Respondent shall furnish a compliance report before the Commission with a copy of reply furnished by the SPIO within one month of receipt of this order.

6. The Commission disposes of this appeal petition accordingly on 6<sup>th</sup> day of May 2021.

Sd/-

Dr. Vishwas Mehta,  
Chief Information Commissioner



Authenticated Copy

*Bearp*

Commission Secretary

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