DESPATCHED
On...16/6/22

STATE INFORMATION COMMISSION, KERALA
PUNNEN ROAD, THIRUVANANTHAPURAM 695 001
Email: sic.ker@nic.in

Proceedings of the Appeal Petition No.68(1)/2022/SIC
(File No.1603/SIC-Gen4/2022)
(Order will be available in sic.kerala.gov.in)

PRESENT

Dr. Vishwas Mehta, Chief Information Commissioner

Dated: 2022 June 8

Smt. Thahsin Z.Husain,
Pathody House,
Pathody Road,
Ponani – 679 577. } Appellant

1) The State Public Information officer,
DGM MES Mampad College,
Mampad College P.O.,
Malappuram – 676 542.
2) Appellate Authority,
DGM MES Mampad College,
Mampad College P.O.,
Malappuram – 676 542. } Respondents

Date of application u/s 6(1)	25/10/2021
Date of reply furnished	-
Date of 1st appeal	06/12/2021
Date of decision on the 1st appeal	-
Date of filing 2nd appeal	21/01/2022
Date of receipt of 2nd appeal in the Commission	25/01/2022
Date of report called for by the Commission	31/01/2022
Date of receipt of report in the Commission	07/05/2022
Date of hearing	07/06/2022 – Video/Audio
Presence in the hearing : Appellant : SPIO, AA	Present Present

ORDER

Appeal Petitioner Smt. Thahsin Z. Husain, in her 2nd appeal dated 21.1.2022, submitted before the Commission, has stated that no information

sought by her was furnished by the 1st Respondent and therefore filed an appeal before the 2nd Respondent on 06.12.2021, which was also remains unanswered till date, hence she requested the Commission to direct the concerned to furnish the information sought by her and impose the penalty and recommend disciplinary action against the Respondents for their failure to furnish the information sought.

2. In her application submitted before the 1st Respondent, the Appellant sought the following information:

I. (i) Whether a " Report of unsatisfaction" based on which the memo No.MES/AC/E3394/21 dated 19.2.2021 issued, was reported by the then Principal between 1st June 2019 and 31st March 2020.

(ii) If yes, copy of the report by the Principal.

II. The copies of the "Record of Proceedings" which culminated in punishment of "censure" and consequent entry in his service book.

III. Can the component of students assessment of individual teachers be incorporated in the assessment criteria and methodology proforma of students feedback, as per UGC and NAAC regulations.

3. Since no reply was given by the 1st Respondent to her application, the Appellant filed first appeal before the 2nd Respondent on 06.12.2021. But Appellate Authority also did not give a reply or furnish report sought for by the Commission, vide letter of even number dated 31.1.2022.

4. On scrutinizing the appeal petition and connected documents, the Commission finds that the Principal of the Respondent office furnished a partial report without mentioning the reason as to why Public Information

Officer and the Appellate Authority did not reply to the RTI application/appeal of the Appellant. At the time of hearing also the Respondents failed to clarify the reasons for their lapses in not giving timely reply to the petitioner and submission of report to the Commission due to their ignorance of RTI Act. Hence the Commission views these lapses on the part of the Respondents seriously and advice them to study the RTI Act properly and not to repeat this kind of mistakes in future while answering the RTI applications and appeals, or else the Commission will be constrained to take action against the Respondents under RTI Act. The Commission also directs the Respondents to allow an opportunity to the Appellant for physical verification of files/documents concerned and provide required copies of available documents free of cost, and to submit an action taken report to the Commission before 20.6.2022 promptly to avoid further proceedings against them.

5. The Commission disposes of this appeal petition as stated above on the 8th day of June 2022.

Sd/-
Dr. Vishwas Mehta
Chief Information Commissioner

Authenticated Copy

Commission Secretary