



The State Information Commission, Kerala
Punnen Road, Thiruvananthapuram-695 039.

Tel:0471 2335199, Fax:0471 2330920
Email: sic@infokerala.org.in

AP.No.360/2007/SIC
File No.1304/SIC-Gen1/07

Shri.Arish.L.V
12/478 C, Nafhath,
Areeparambu Thazham,
Feroke.P.O. Kozhikode.

Appellant

Vs

- 1.State Public Information Officer and Deputy Secretary, Kerala Public Service Commission, Pattom, Thiruvananthapuram.
2. Appellate Authority and Additional Secretary (Rect), Kerala Public Service Commission, Pattom, Thiruvananthapuram.

Respondents

ORDER

This is a second appeal preferred by Shri. Arish.L.V, 12/478 C, Nafhath, Areeparambu Thazham, Feroke.P.O. Kozhikode. The case, in short, is as under:-

Shri.Arish.L.V. had approached the State Public Information Officer of the Kerala Public Service Commission on 12.12.2006 seeking information as given below:-

"cmPØm³ hnZym]oTw (UowUv) bpWnthgvknän Hm^v Im¼kv hgn \S_p¶ Distance Education Regular Civil Engineering Diploma, Degree Certificate D]tbnKn"v, tIcf kÄ;mÄ kÄÆoknÄ tPmen;v At]fn;phm\pw, tPmensbSp;phm\pw läptam?

DS - |nepw CsÃ|nepw, AXpambn _Ôs, « KPSC bpsS Xocpam\`nsâ
tIm,nbpw, kÃ;mÃ D`chnsâ tIm,nbpw, kÃ;pedpIfpsS
tIm,nbpw... ' .

The Public Information Officer responded to the request, in time, and intimated the requester/appellant that it was the applicant's responsibility to prove the equivalency of a certificate/course with those prescribed qualification for the post and also the respondent public authority cannot provide any information, in advance, as to the acceptability of a qualification as equivalent to the one notified. Aggrieved by the Public Information Officer's decision, Shri.Arish.L.V. had preferred an appeal on 30.12.2006 before the Appellate Authority of the public authority in a questionnaire format and, seeking information on issues quite different from those indicated in the original application. The appellate authority had rejected the appeal on the ground that the appeal was not on information that had not been sought, in the original request. Aggrieved by this, the requester/appellant had approached the Commission with the second appeal on 26.2.2007.

The Commission called for a detailed report from the respondent public authority and also summoned the appellant and the Public Information Officer of the public authority. Accordingly, the appellant Shri.Arish.L.V and the Public Information Officer of the respondent's organisation Shri. L.Sanjeeva Kamath, the State Public Information Officer and Deputy Secretary, Kerala Public Service Commission appeared before the Commission. The Public Information Officer of the respondent public authority had filed a detailed affidavit.

After hearing both the requester/appellant and the Public Information Officer of the respondent public authority and also perusing the records before it, the Commission observed that the matter that were taken up before the Appellate Authority were quite different from the one in which information was sought in the original request. The Commission observed the appeal suffers from infirmity in as much an altogether new matter has been taken up for appeal.

The Commission agrees with the decision of the first appellate authority. The appeal, therefore, do not merit consideration and is dismissed.

Dated this, the 14th day of December, 2007.

