



Before The State Information Commission, Kerala
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AP.No.179/2006/SIC
File No.3805/SIC-Gen-2/2006

Smt.K.P.Syamala,
Syamji Nilayam,
Chowa.P.O,
Kannur-670 006.



Appellant

Vs

Public Information Officer
High Court of Kerala,
Kochi-682 031.



Respondent

ORDER

The appellant in this case is one Smt.K.P.Syamala. She had preferred the second appeal on an allegation that she had approached the Judicial First Class Magistrate Thamarasseri to get certain information regarding a pending case. Because she did not get the details of the present stage of the Revision Petition pending before the Hon.High Court, she had preferred an appeal before the first Appellate Authority of the Hon.High Court. The second appeal was for not receiving the information within the stipulated time for the disposal of the first appeal.

The remarks of the Appellate Authority was called for. It was submitted in the remarks that the request was received only on 15.9.2006 and was readily

disposed off within time. There was no delay in disposing of the request by the Respondant and hence the appeal is liable to be dismissed.

The question that arise for consideration is whether the appeal is to be allowed or not?

Smt.K.P.Syamala, the appellant has not furnished the copy of the original request that she had allegedly filed before the Judicial First Class Magistrate, Thamarasseri. However, the records contained a reply furnished by the Public Information Officer of the Judicial First Class Magistrate of Thamarasseri,(Ext A1) . It was an intimation to the appellant that the records in CC 448/90 (RP1061/95) was pending in the Hon.High Court and the material objects mentioned in the said case could be returned to her only on receipt of the records. It is seen that Ext A2 was yet another request under section 6 of the RTI Act before the Public Information Officer of the Hon.High Court of Kerala. It was not a first appeal before the appellate authority. This request addressed to the Public Information Officer was dated 13.9.2006, whereas a request addressed to the Appellate Authority/Public Information Officer ,High Court, Ernakulam was also sent by the appellant on 11.9.2006. Instead of preferring a first appeal, a request was repeatedly sent to the Hon.High Court. In the remarks, it was stated by the Public Information Officer of the Hon.High Court that the application was received on 15.9.2006 and the reply was given on 11.10.2006 well within the time limit. Copy of the reply letter was also enclosed along with the remarks. The same was marked as Ext A4. It was

intimated to the appellant that the criminal appeal 275/93 in CC.448/90 on the file of the Judicial First Class Magistrate Court, Thamarasseri had been returned to the said court and the appellant was asked to get back the material objects from the First Class Magistrate Court, Thamarasseri. The allegation of delay with the Public Information Officer of the Hon.High Court or with the Appellate Authority was against facts and figures before this Commission. The request was disposed off within the time limit itself. Reasonable information was furnished to the appellant by the Hon.High Court and also there was a direction to the appellant to get back the material objects from the Magistrate Court.

So the appeal is without merit and is dismissed.

Dated this, the 5th day of September, 2007.