



**STATE INFORMATION COMMISSION, KERALA  
PUNNEN ROAD, THIRUVANANTHAPURAM 695 039**

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**Proceedings of the State Information Commission, Kerala in Complaint  
Petition No. CP 222/2006//SIC  
(No.2886/SIC-Gen1/06)**

Sri. Dileep Poolakot,  
Advocate,  
428, New Chambers,  
Supreme Court of India,  
New Delhi - 110 001.

Complainant

Vs

1. Shri. V.V. Shajimon IFS.,  
Dy. Forest Conservator of Forest (Protection),  
Forest Headquarters,  
Thiruvananthapuram.
2. The Chief Conservator of Forest (Protection),  
Forest Headquarters,  
Thiruvananthapuram.

Respondents

**ORDER**

The Complainant Shri. Dileep Poolakot, has filed this petition before the State Information Commission complaining that the information sought from the Chief Conservator of Forest / Public Information Officer on 24.6.06 was not given even after the lapse of the time limit prescribed under the RTI Act.

2. A copy of the complaint was forwarded to the Principal Chief Conservator of

Forest with directions to make arrangements to dispose of the request of the petitioner within 10 days and to report to the Commission. Accordingly, the 2nd respondent disposed of the request of the petitioner on 29.9.06.

3. The petitioner has filed a rejoinder dated 14.10.06 referring to the disposal of the request by the 2nd respondent. The Commission found that the request of the petitioner under the RTI Act was not disposed of within the time limit prescribed under section 7 (1) of the RTI Act. Hence, the first respondent was directed to explain reasons if any, for not initiating penal action against him under section 20 of the RTI Act. The Commission also found that the disposal dated 29.9.06 of the 2nd respondent did not mention the details of the appellate authority required to be provided under section 7 (8) of the Act. Hence, the 2nd respondent was directed to intimate the petitioner, the details of the Appellate Authority. Accordingly, the petitioner was informed of the details of the Appellate Authority vide letter dated 29.6.07 of the 2nd respondent.

4. In response to the notice issued by the Commission, the first respondent appeared before the Commission on 2.7.07 and explained the reasons for the delay in disposing of the request of the petitioner. According to the first respondent, he came to know of the request only when the State Information Commission called for a report on 15.9.06. The first respondent has filed an affidavit stating that the request of the petitioner was received in the office of the Chief Conservator of Forest (Admn) by registered post on 28.6.06 and the same was marked to the T1 section and thereafter no further action was taken. The Chief Conservator of Forest (Admn.) is inquiring into the circumstances under which no action was taken on the request of the petitioner .

5. After considering all aspects relevant to the petition, the Commission hereby order as follows:

- (i) The petitioner may file the first appeal under section 19 (1) of the RTI Act, if he is not satisfied with the information given on 29.9.06. He is granted 15 days time from the date of receipt of copy of this order, for filing the first appeal.
  
- (ii) As the delay in disposing of the request of the petitioner occurred not because of any fault on the part of the 1st respondent, the Commission decide to drop the penal action initiated against the first respondent
  
- (iii) The Secretary of the Commission shall call for a report from the Chief Conservator of Forest (Admn.) on the findings of the inquiry and the action taken by him, for not taking action on the request of the petitioner.

Dated this 19th day of July 2007.