

M. Balakrishnan vs the State Public Information Officer/Senior Superintendent,

M. Balakrishnan vs the State Public Information Officer/Senior Superintendent,

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Court : Kerala

Decided On : May-31-2024

Judge : Honourable Mr. Justice D. K. Singh

Appeal No. : WP(C)/27630/2021

Appellant : M. Balakrishnan

Respondent : The State Public Information Officer/Senior Superintendent,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
FRIDAY, THE 31ST DAY OF MAY 2024 / 10TH JYAISHTA, 1946 WP(C)
NO. 27630 OF 2021 PETITIONER: M. BALAKRISHNAN AGED 56
YEARS S/O.T.T.UNNI, RETD UPPER PRIMARY SCHOOL ASSISTANT,
S.R.U.P.SCHOOL, KUNISSERY, PALAKKAD-678681, RESIDING AT
DHAKSHINE VANDAZHI, PALAKKAD-678706. BY ADV
U.BALAGANGADHARAN RESPONDENTS:

1 THE STATE PUBLIC INFORMATION OFFICER/SENIOR SUPERINTENDENT, OFFICE OF THE ASSISTANT EDUCATIONAL OFFICER, MINI CIVIL STATION, ALATHUR (PO), PALAKKAD-678541. 2 THE APPELLATE AUTHORITY/ASSISTANT EDUCATIONAL OFFICER, OFFICE OF THE ASSISTANT EDUCATIONAL OFFICER, MINI CIVIL STATION, ALATHUR (PO), PALAKKAD-678541. 3 THE DEPUTY DIRECTOR OF EDUCATION (D.D.E) CIVIL STATION, PALAKKAD. 4 SHRI K.R.SEETHARAMAN, PUTHEN GRAMAM, KUNISSERY P.O., ALATHUR, PALAKKAD- 678541. 5 THE STATE INFORMATION COMMISSION KERALA, PUNNEN ROAD, THIRUVANANTHAPURAM-695001, REPRESENTED BY ITS SECRETARY. 6 THE MANAGER S.R.U.P. SCHOOL, KUNISSERY, PALAKKAD-678681. BY ADVS. K.MOHANAKANNAN H.PRAVEEN (KOTTARAKARA)

SRI. DHEERAJ A.S. - GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.05.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 31st day of May, 2024 The present writ petition has been filed by the petitioner, who was in-charge as Head Master of S.R.U.P School, Kunissery, Palakkad, impugning Exts.P21 to P24. However, the learned counsel for the petitioner submits that he is confining his prayer against Ext.P23 order, wherein a penalty of Rs.25,000/- has been imposed on the petitioner for withholding the information and not providing the same under the Right to Information Act and Rules made thereunder, to the 4th respondent.

2. Learned counsel for the 4th respondent submits

that he has got the required information after he filed the appeal as per the direction issued by the Appellate Authority. So far as the question of penalty is concerned, he said that it is up to the court to modify the penalty or confirm the same.

3. Considering the fact that the petitioner stands

retired from service, the penalty of Rs.25,000/- is reduced to Rs.5,000/-, to be paid within a period of 15 days from today. With the aforesaid direction, the present writ petition stands finally disposed of. Sd/- DINESH KUMAR SINGH JUDGE AP
APPENDIX OF WP(C) 27630/2021 PETITIONER EXHIBITS

Exhibit P1 A TRUE COPY OF THE ORDER

NO.B6/2422/2018/K.DIS DATED 06.09.2018 OF REJECTION SIGNIFIED BY THE DEO, PALAKKAD. Exhibit P2 A TRUE COPY OF ORDER IN AP 404(3)/2018/S.I.C DATED 02.04.2019 ISSUED BY 5TH RESPONDENT.

Exhibit P2(A) A TRUE COPY OF THE ORDER

NO.G/4396/2020/L.DIS DATED 02.03.2021 OF THE AEO, ALATHUR. Exhibit P3 A TRUE COPY OF THE APPLICATION DATED 18.07.2018 BY THE 4TH RESPONDENT TO 1ST Exhibit P4 A TRUE COPY OF THE APPLICATION DATED 03.09.2018 BY THE 4TH RESPONDENT TO 1ST Exhibit P5 A TRUE COPY OF THE APPLICATION DATED 28.06.2019 BY THE 4TH RESPONDENT TO 1ST Exhibit P6 A TRUE COPY OF THE APPLICATION DATED 29.06.2019 BY THE 4TH RESPONDENT TO 1ST Exhibit P7 A TRUE COPY OF LETTER DATED 01.08.2018 ISSUED BY THE 1ST RESPONDENT TO H.M. IN

Exhibit P8 A TRUE COPY OF LETTER DATED 14.09.201

PETITIONER ON 03.08.2018 TO 4TH RESPONDENT. Exhibit P11(A) A TRUE COPY OF THE LETTER ISSUED BY THE PETITIONER 10.07.2019 TO 4TH RESPONDENT. Exhibit P12 A TRUE COPY OF THE ORDER AP 478(5)/19/SIC (F.NO.2634/SCI-G7/2019) DATED 30.01.2021 OF THE 4TH RESPONDENT COMMISSION. Exhibit P13 A TRUE COPY OF THE ORDER NO.AP 2509(5)/19/SIC (F.NO.19311/SIC-G7/2019)

Exhibit P14 A TRUE COPY OF THE ORDE

2507/(5)/19/SIC(F.NO.19306/SIC-G7/2019)

Exhibit P16

A TRUE COPY OF THE LETTER DATED 20.02

SCHOOL, KUNISSERY TO RESPONDENT NO.5.

Exhibit P21 A TRUE COPY OF PENALTY ORDER

AP.NO.477(5)/19/SIC DATED 15.09.2021 BY THE 1ST RESPONDENT.

Exhibit P22 A TRUE COPY OF PENALTY ORDER

AP.NO.477(5)/19/SIC DATED 15.09.2021 BY THE 1ST RESPONDENT.

Exhibit P23 A TRUE COPY OF PENALTY ORDER

AP.NO.2509(5)/19/SIC DATED 15.09.2021 BY THE 1ST RESPONDENT.

Exhibit P24 A TRUE COPY OF PENALTY ORDER

AP.NO.2507(5)/19/SIC DATED 15.09.2021 BY THE 1ST RESPONDENT.

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