



The State Information Commission, Kerala

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No. 7586/SIC-Admn/2010

Date: 19/07/2010

Proceedings

In pursuance of the powers vested in me by sub-section (4) of section 15 of the Right to Information Act, 2005 (Central Act 22 of 2005) and in supersession of proceedings No. 7586/SIC-Admn/2010 dated 19/07/2010 I, Palat Mohandas, State Chief Information Commissioner, Kerala, hereby make the following regulations to prescribe the procedure for registration, maintenance, distribution, submission and disposal of cases in the State Information Commission, Kerala, namely:-

1. Short title and commencement:- (i) These regulations may be called the Kerala State Information Commission (Procedure for Disposal of Cases) Regulations 2010.
(ii) They shall come into force at once.
2. The currents addressed to the State Information Commission, Kerala (KSIC) are received in the Tapal section.
3. Those currents likely to be admitted as Appeal Petition (AP) under section 19(3) of the Right to Information Act and Complaint Petition (CP) under section 18(1) of the Act are to be sorted out separately and given current numbers in serial order.
4. Those currents relating to reports/affidavits etc. (pre-references) in respect of cases already registered as AP and CP; applications under section 6(1) of the Act addressed to the State Public Information Officer of KSIC, 1st appeal under section 19(1) to the Appellate Authority of KSIC and papers related to administration of the Commission are to be sorted out separately and given current numbers in serial order in continuation of current mentioned in regulation 3.
5. After giving current numbers, the currents likely to be admitted as CP are to be distributed equally among the State Chief Information Commissioner (SCIC) and State Information Commissioners (SICs) and APs among SICs by assigning a Commissioner Code Number, in the order as follows:-
 - (01) - State Chief Information Commissioner
 - (02) - State Information Commissioner (G)
 - (03) - State Information Commissioner (R)
 - (04) - State Information Commissioner (GV)
 - (05) - State Information Commissioner (S)

(Explanation: - All the currents that are likely to be admitted as CP are given Commissioner Code in an alternative sequence beginning with (01) - State Chief Information Commissioner. All the currents that are likely to be

admitted as AP are given the Commissioner Code in an alternative sequence beginning with (02) - State Information Commissioner (G.)

6. After the procedure mentioned in regulation 2 to 5 is completed, the currents are to be placed in separate folders – all the reports/replies received with pre-references are placed in the Report Folder; currents relating to administration are to be placed in Administration Folder, application to State Public Information Officer and 1st appeals to the Appellate Authority, KSIC are to be placed in the PIO/AA Folder and the rest placed separately in the folders for the concerned State Information Commissioner/ State Chief Information Commissioner.
7. All the folders are to be submitted for orders of the State Chief Information Commissioner concerned by the Tapal Section. After the currents are seen by the State Chief Information Commissioner, the folders of State Information Commissioners are circulated to them. The State Information Commissioners pass orders on each Tapal as to whether they are to be admitted as AP or CP. After the above process, all the Folders along with the daily Tapal list are then sent to the Secretary who, in turn, forwards it to the G4 Assistant, who will make entries of reports in the AP and CP registers, and the currents are then marked to the concerned dealing Assistants. The G4 Assistant, will allot new AP/CP numbers to the fresh APs/CPs and mark them also to the concerned dealing Assistants. While allotting new AP/CP numbers the code number of the State Information Commissioner/State Chief Information Commissioner to whom that particular case belongs, is suffixed in brackets to the AP/CP number. For example, if a current is admitted as a CP by the State Chief Information Commissioner, it is allotted a new CP. No. 222(01)/2010/SIC.
8. The dealing Assistants will submit the files within 5 days of receipt of the same by them.
9. All cases relating to CPs, papers relating to Administration will be submitted to Section Officer. The Section Officer will submit the CPs allotted to Shri. Palat Mohandas, State Chief Information Commissioner (Code No. 01) to the Under/Deputy Secretary. CPs allotted to Shri. V.V. Giry, State Information Commissioner (Code No. 02) and CPs allotted to Dr. K. Rajagopal, State Information Commissioner (Code No. 03) will be submitted to the Finance Expert. CPs allotted to Shri. M.N. Gunavardhanan State Information Commissioner (Code No. 04) and CPs allotted to Shri. Soni Thengamom State Information Commissioner (Code No. 05) will be submitted to Legal Expert. The dealing Assistants will submit the APs directly to the Secretary. The Section Officer will submit all papers relating to Administration to the Under/Deputy Secretary, who will route it through Finance Expert to the Secretary and to State Chief Information Commissioner, if necessary. Miscellaneous papers will be submitted to the Section Officer/P.A. to the State Chief Information Commissioner and he will submit the same to the Under/Deputy Secretary, Legal Expert and Finance Expert, as the case may be. Letters and notices to be issued in respect of the cases will be issued by Under Secretary/Deputy Secretary/ Finance Expert/Legal Expert/Secretary as the case may be.
10. All the court cases and legal issues, after seen by State Chief Information Commissioner, are sent to the Legal Expert, who will process the cases.

11. CPs will be heard by summoning the complainant and respondent at Head Quarters or at District Head Quarters or through Video Conferencing at the District Head Quarters, if necessary, and disposed off by the State Chief Information Commissioner/concerned State Information Commissioner and APs will be heard, if necessary, and disposed off by the concerned State Information Commissioner and State Chief Information Commissioner jointly.
12. If the explanation submitted by the State Public Information Officer for delay is found to be 'reasonable', a speaking order shall be issued explaining how it is considered as reasonable.
13. If the explanation of the State Public Information Officer, for delay is found not 'reasonable', a speaking order imposing penalty at the rate of Rs. 250/- per day of delay up to a maximum of Rs. 25,000/- shall be issued.
14. The order of the Commission in CP/AP shall be communicated to the parties concerned, duly authenticated by the Secretary to the Commission or any other officer authorised, for that purpose.
15. The Legal Expert shall maintain a suit register, with updated details regarding the court cases in which SIC is either petitioner/respondent.
16. If the Commission finds that its order has not been complied with, it shall direct the Public Authority to ensure compliance and report.
17. The Commission shall consider the review petitions filed before it, if there is any error apparent on the face of the record, though there is no provision for review in the Right to Information Act.
18. Copies of the orders of the Commission in compliance to judgement of the Hon'ble. High Court may invariably be forwarded to the Registrar of the Hon'ble. High Court and the Standing Counsel.