2024:KER:69295

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

TUESDAY, THE 10TH DAY OF SEPTEMBER 2024 / 19TH BHADRA, 1946

WP(C) NO. 17035 OF 2023

PETITIONER:

MR. BABU P.P.,
AGED 47 YEARS
S/O.SANKARAN, PADIVATTOM PARAMBIL HOUSE, MATTATHOOR P.O., MALAPPURAM, PIN – 676 528, PRESENTLY WORKING AS REVENUE INSPECTOR, GREEN FIELD HIGHWAY, LAND ACQUISITION OFFICE, MANJERI -676121.

BY ADVS.
P.MARTIN JOSE
P.PRIJITH
THOMAS P.KURUVILLA
R.GITHESH
AJAY BEN JOSE
MANJUNATH MENON
SACHIN JACOB AMBAT
ANNA LINDA EDEN
HARIKRISHNAN S.
S.SREEKUMAR (SR.)

RESPONDENTS:

1 THE STATE INFORMATION COMMISSION,
KERALA, PUNNAN ROAD, THIRUVANANTHAPURAM - 695001,
REPRESENTED BY ITS SECRETARY

2 THE TAHASILDAR,
TALUK OFFICE, ERNAD, MANJERI–676121

3 THE VILLAGE OFFICER,
VILLAGE OFFICE, MALAPPURAM, DOWNHILL P.O., MALAPPURAM, PIN-676519, PIN - 676519

4 [illegible]

JUDGMENT

Dated this the 10th day of September, 2024

The present writ petition has been filed impugning the final order dated 30.03.2023 passed by the State Right to Information Commission, Kerala, in 2nd appeal submitted by the 4th respondent before the commission. The information sought was given to the 4th respondent. However, the commission has also imposed a fine of Rs.25,000/- on the petitioner on the ground that the Act of the computer entry on the basis of the site inspection done by the special village officer on the basis of the sketch and report submitted by the Advocate Commissioner was unjust for any reason.

2. In short, the commission has the right to compensate the 4th respondent for the alleged wrong committed by the revenue authorities.

3. Under the provisions of the right to information Act, the information Commission does not have power to provide compensation for some wrong done by an authority. However, it may have the power to award compensation or cost, if the information is not supplied or

denied for invalid ground.

From reading of the impugned order, it is evident that the information commission has compensated the 4th respondent and imposed a kind of penalty on the petitioner. Such an order is beyond the competence and jurisdiction of the information commission and therefore, the impugned order is set aside to that extent. Thus, the writ petition stands allowed.

Sd/-

DINESH KUMAR SINGH

JUDGE

AP