TELANGANA STATE INFORMATION COMMISSION
(Under Right to Information Act, 2005)
Samachara Hakku Bhavan, D.No.5-4-399, '4' Storied Commercial Complex,
Housing Board Building, Mojam Jahi Market, Hyderabad – 500 001.
Phone Nos: 040-24743399 (O); 040-24740592(F)

Appeal No.16199/CIC/2018, Order dated:27-09-2021

Appellant : Mrs. R. Ashmita, # 301, H.No.16-1-1/1/F, Padmavathi Nivas, Saleemnagar Colony, Malakpet, Hyderabad-500036.

Respondents: **The Public Information Officer (U/RTI Act,2005) /**
O/o the Commissioner, GHMC Head Office, Tank Bund Road, Hyderabad-500063.

The First Appellate Authority (U/RTI Act, 2005) /
O/o the Commissioner, GHMC Head Office, Tank Bund Road, Hyderabad-500063.

ORDER

Mrs. R. Ashmita, R/o. 301, 16-1-1/1/f, Padmavathi Nivas, Saleemnagar Colony, Malakpet Hyderabad-500036 has filed 2nd appeal dated 12-12-2018 which was received by this Commission on 12-12-2018 for not getting the information sought by him from the PIO / O/o. The Commissioner, Greater Hyderabad Municipal Corporation, Head Office, Tank Bund, Hyderabad-500063 and 1st Appellate Authority / O/o. The Commissioner, Greater Hyderabad Municipal Corporation, Head Office, Tank Bund, Hyderabad-500063.

The brief facts of the case as per the appeal and other records received along with it are that the appellant herein filed an application dated 10-09-2018 before the PIO under Sec.6(1) of the RTI Act, 2005, requesting to furnish the information on the following points mentioned in his application:

1. Please provide information related to my Grievance No. 2018-05-W422527 dt.05/05/2018.
   a. Please provide the information, when did your office receive my above grievance? Status quo dismissed by Honorable city civil court order copy along with my application letter submitted in inward section, GHMC Commissioner, Tank bund with reference no. 341621, is pending Since 02/04/2018 till date. Please provide your inward register attested copy to me as per your office records.
   b. Please provide information, when did you send my above grievances to concerned authorities for conducted enquiry on the reference number 341621, submitted in inward section, GHMC Commissioner, Tank bund with reference no. 341621, is pending Since 02/04/2018 till date. Please provide attested copy to me.
   c. Please provide information, what is a current state of my above grievance?
   d. Please provide information, did you take any action against Mr. NARENDER PRASHAD JAISWAL and others respect to my above grievance? If taken, what action did you take? Pleases provide attested copies.
   e. Please provide information, If you have lodged FIR/ filed case against my Mr. NARENDER PRASHAD JAISWAL and others; Please provide attested copy to me.
   f. Please provide information, If you have been pending in your end; please provide the rejection as per the law related to my above grievances.

2. Please provide information related to my Grievance No. 2018-05-W425420 dt.17/05/2018,
   a. Please provide the information, when did your office receive my above grievance? Status quo dismissed by Honorable city civil court order copy along with my application letter submitted in inward section, GHMC Commissioner, Tank bund with reference no. 341621, is pending Since 02/04/2018 till date. Please provide your inward register attested copy to me as per your office records.
   b. Please provide information, when did you send my above grievances to concerned authorities for conducted enquiry on the reference number 341621, submitted in inward section, GHMC Commissioner, Tank bund with reference no. 341621, is pending Since 02/04/2018 till date. Please provide attested copy to me.
   c. Please provide information, what is a current state of my above grievance?
   d. Please provide information, did you take any action against Mr. NARENDER PRASHAD JAISWAL and others respect to my above grievance? If taken, what action did you take? Please provide attested copies.
   e. Please provide information, If you have lodged FIR/ filed case against my Mr. NARENDER PRASHAD JAISWAL and others; Please provide attested copy to me.
   f. Please provide information, If you have been pending in your end; please provide the rejection as per the law related to my above grievances.

3. Please provide information related to my Grievance No. 2018-05-W426556 dt.20/05/2018.
   a. Please provide the information, when did your office receive my above grievance? Status quo dismissed by Honorable city civil court order copy along with my application letter submitted in inward section, GHMC Commissioner, Tank bund with reference no. 341621, is pending Since 02/04/2018 till date. Please provide your inward register attested copy to me as per your office records.
   b. Please provide information, when did you send my above grievances to concerned authorities for conducted enquiry on the reference number 341621, submitted in inward section, GHMC Commissioner, Tank bund with reference no. 341621, is pending Since 02/04/2018 till date. Please provide attested copy to me.
   c. Please provide information, what is a current state of my above grievance?
   d. Please provide information, did you take any action against Mr. NARENDER PRASHAD JAISWAL and others respect to my above grievance? If taken, what action did you take? Pleases provide attested copies.
   e. Please provide information, If you have lodged FIR/ filed case against my Mr. NARENDER PRASHAD JAISWAL and others; Please provide attested copy to me.
   f. Please provide information, If you have been pending in your end; please provide the rejection as per the law related to my above grievances.

4. Please provide information related to my Grievance No. 2018-05-W428409 dt.26/05/2018. 2018-05-W428970 dt.28/05/2018,
   a. Please provide the information, when did your office receive my above grievance? Status quo dismissed by Honorable city civil court order copy along with my application letter submitted in inward section, GHMC Commissioner, Tank bund with reference no. 341621, is pending Since 02/04/2018 till date. Please provide your inward register attested copy to me as per your office records.
   b. Please provide information, when did you send my above grievances to concerned authorities for conducted enquiry on the reference number 341621, submitted in

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inward section, GHMC Commissioner, Tank bund with reference no. 341621, is pending Since 02/04/2018 till date. Please provide attested copy to me.

c. Please provide information, what is a current state of my above grievance?
d. Please provide information, did you take any action against Mr. NARENDER PRASHAD JAISWAL and others respect to my above grievance? If taken, what action did you take? Pleases provide attested copies.
e. Please provide information, If you have lodged FIR/ filed case against my Mr. NARENDER PRASHAD JAISWAL and others; Please provide attested copy to me.
f. Please provide information, If you have been pending in your end; please provide the rejection as per the law related to my above grievances.

5. Please provide information related to my Grievance No. 2018-05-W428970 dt.28/05/2018,

a. Please provide the information, when did your office receive my above grievance? Status quo dismissed by Honorable city civil court order copy along with my application letter submitted in inward section, GHMC Commissioner, Tank bund with reference no. 341621, is pending Since 02/04/2018 till date. Please provide your inward register attested copy to me as per your office records.
b. Please provide information, when did you send my above grievances to concerned authorities for conducted enquiry on the reference number 341621, submitted in inward section, GHMC Commissioner, Tank bund with reference no. 341621, is pending Since 02/04/2018 till date. Please provide attested copy to me.
c. Please provide information, what is a current state of my above grievance?
d. Please provide information, did you take any action against Mr. NARENDER PRASHAD JAISWAL and others respect to my above grievance? If taken, what action did you take? Pleases provide attested copies.
e. Please provide information, If you have lodged FIR/ filed case against my Mr. NARENDER PRASHAD JAISWAL and others; Please provide attested copy to me.
f. Please provide information, If you have been pending in your end; please provide the rejection as per the law related to my above grievance.

1. Please provide information related to my Grievance No. 2018-05-W423274 dt.08/05/2018,

2018-05-W425421 dt.17/05/2018,
2018-05-W426551 dt.20/05/2018,
2018-05-W428399dt.26/05/2018,
2018-05-W428969 dt.28/05/2018,

a. Please provide the information, when did your office receive my above grievance? Status quo dismissed by Honorable city civil court order copy along with my application letter submitted in inward section, O/o ACP CIR VI, Sardar Mahal, Charminar, is pending Since 16/04/2018 till date. Please provide your inward register attested copy to me as per your office records.
b. Please provide information, when did you send my above grievances to concerned authorities for conducted enquiry about illegal building construction, Status quo order dismissed by Honorable civil court. Please provide attested copy to me.
c. Please provide information, what is the current state of my above grievance?
d. Please provide information, did you take any action against Mr. NARENDER PRASHAD JAISWAL and others respect to my above grievance? If taken, what action did you take? Pleases provide attested copies.
e. Please provide information, If you have lodged FIR/ filed case against my Mr. NARENDER PRASHAD JAISWAL and others; Please provide attested copy to me.
f. Please provide information, If you have been pending in your end; please provide the rejection as per the law related to my above grievance.

2. Please provide information related to my Grievance No. 2018-05-W425421 dt.17/05/2018,

2018-05-W426551 dt.20/05/2018,
2018-05-W428399dt.26/05/2018,
2018-05-W428969 dt.28/05/2018,

a. Please provide the information, when did your office receive my above grievance? Status quo dismissed by Honorable city civil court order copy along with my application letter submitted in inward section, O/o ACP CIR VI, Sardar Mahal, Charminar, is pending Since 16/04/2018 till date. Please provide your inward register attested copy to me as per your office records.
b. Please provide information, when did you send my above grievances to concerned authorities for conducted enquiry about illegal building construction, Status quo order dismissed by Honorable civil court. Please provide attested copy to me.
c. Please provide information, what is the current state of my above grievance?
d. Please provide information, did you take any action against Mr. NARENDER PRASHAD JAISWAL and others respect to my above grievance? If taken, what action did you take? Pleases provide attested copies.
e. Please provide information, if you have lodged FIR/ filed case against my Mr. NARENDER PRASHAD JAISWAL and others; Please provide attested copy to me.

f. Please provide information, If you have been pending in your end; please provide the rejection as per the law related to my above grievance.

3. Please provide information related to my Grievance No. 2018-05-W425421 dt.17/05/2018,

2018-05-W426551 dt.20/05/2018,
2018-05-W428399dt.26/05/2018,
2018-05-W428969 dt.28/05/2018,

a. Please provide the information, when did your office receive my above grievance? Status quo dismissed by Honorable city civil court order copy along with my application letter submitted in inward section, O/o ACP CIR VI, Sardar Mahal, Charminar, is pending Since 16/04/2018 till date. Please provide your inward register attested copy to me as per your office records.
b. Please provide information, when did you send my above grievances to concerned authorities for conducted enquiry about illegal building construction, Status quo order dismissed by Honorable civil court. Please provide attested copy to me.
c. Please provide information, what is the current state of my above grievance?
d. Please provide information, did you take any action against Mr. NARENDER PRASHAD JAISWAL and others respect to my above grievance? If taken, what action did you take? Pleases provide attested copies.
e. Please provide information, if you have lodged FIR/ filed case against my Mr. NARENDER PRASHAD JAISWAL and others; Please provide attested copy to me.
f. Please provide information, If you have been pending in your end; please provide the rejection as per the law related to my above grievance.

4. Please provide information related to my Grievance No. 2018-05-W428399 dt.26/05/2018, 2018-05-W428969 dt.28/05/2018,

a. Please provide the information, when did your office receive my above grievance? Status quo dismissed by Honorable city civil court order copy along with my application letter submitted in inward section, O/o ACP CIR VI, Sardar Mahal, Charminar, is pending Since 16/04/2018 till date. Please provide your inward register attested copy to me as per your office records.
b. Please provide information, when did you send my above grievances to concerned authorities for conducted enquiry about illegal building construction, Status quo order dismissed by Honorable civil court. Please provide attested copy to me.
c. Please provide information, what is the current state of my above grievance?

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d. Please provide information, did you take any action against Mr. NARENDER PRASHAD JAISWAL and others respect to my above grievance? If taken, what action did you take? Pleases provide attested copies.

e. Please provide information, if you have lodged FIR/ filed case against my Mr. NARENDER PRASHAD JAISWAL and others; Please provide attested copy to me.

f. Please provide information, if you have been pending in your end; please provide the rejection as per the law related to my above grievance.

5. Please provide information related to my Grievance No. 2018-05-W428969 dt.28/05/2018,

a. Please provide the information, when did your office receive my above grievance? Status quo dismissed by Honorable city civil court order copy along with my application letter submitted in inward section, O/o ACP CIR VI, Sardar Mahal, Charminar, is pending Since 16/04/2018 till date. Please provide your inward register attested copy to me as per your office records.

b. Please provide information, when did you send my above grievances to concerned authorities for conducted enquiry about illegal building construction, Status quo order dismissed by Honorable civil court. Please provide attested copy to me.

c. Please provide information, what is the current state of my above grievance?

d. Please provide information, did you take any action against Mr. NARENDER PRASHAD JAISWAL and others respect to my above grievance? If taken, what action did you take? Pleases provide attested copies.

e. Please provide information, if you have lodged FIR/ filed case against my Mr. NARENDER PRASHAD JAISWAL and others; Please provide attested copy to me.

f. Please provide information, if you have been pending in your end; please provide the rejection as per the law related to my above grievance.

Please provide the information as per below cited way only

- I state that I am citizen of India and I am eligible to seek the information under the Right to Information Act 2005.
- RTI application fee through Indian postal order no. 86G 962119, Dt. 10/9/2018 for Rs.20/- enclosed along with this letter. Please provide the receipt for my RTI fees.
- Please provide the RTI reference number while sending the response to this RTI.
- Address: Please send to the above cited address in Page No. 1.
- Mode of delivery: Only through Govt. Speed Post/ Govt. Registered Post.
- Format in which information is required: Written or typed matter/Xerox copies of documents.

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- Please provide the information in English language.
- Necessary charges will be paid.
- Please provide the answers in the following way:
  - Please provide the answers sequence wise only i.e.1, 2, 3 etc....
  - Please provide the answers to each and every question. Don't club if any questions/ answers are repeated.
  - Please answer the question separately even the answers to different questions may have the same answer.
  - Please provide the unique answer number while answering to sub-sections in main questions. i. e. for a question having two sections and having also sub-sections then please provide the question number and then answer for each section and also for sub-section as per question.
- Please provide U/s 2 (j) (ii) and related RTI Act, the Stamp duly signed by concerned official while sending response to this RTI.
- Please provide the Date duly signed by concerned official while sending response to this RTI.
- Since it is the PIO's responsibility to inform me of the particulars of the appellate authority as per Section 7 (8) (iii), and he has not done so, it is his responsibility to forward it to the Second Appellate Authority.
- The applicant kindly submits that the above information sought does not fall within the exemptions U/s 8 of RTI Act, 2005 and to the best of my knowledge it pertains to your esteemed office in your statutory capacity as PIO u/s 5 (1) of RTI Act read with 5(4) and 5(5) of the RTI Act, 2005.
- The applicant kindly submits that if the requested information does not pertain to your department, then it is requested to please follow the provisions of Section 6(3) of the RTI Act, 2005 and kindly also intimate the applicant through registered/speed post to whom you are forwarding / transferring the application as prescribed in RTI Act 2005.
- Applicant may be supplied information under proactive disclosure under section 4 (1) (b) of RTI Act of your office / department.
- The applicant kindly submits that any attempt at frustrating an applicant from submitting the application invites complaint under section 18(1) RTI Act – 2005. Such complaints are dealt with seriously and compensation to the applicant can be awarded.

The Public Information Officer has not furnished the information to the appellant.

Since the appellant did not receive the information from the Public Information Officer, he filed 1st appeal dated 14-11-2018 before the 1st Appellate Authority u/s 19(1) of the RTI Act, 2005 requesting him to furnish the information sought by him.

The 1st Appellate Authority has not responded to the Appellant.

As the appellant did not get the information from the Public Information Officer /1st Appellate Authority even after 30 days of filing his 1st appeal, he preferred this 2nd appeal before this Commission u/s 19(3) of the RTI Act, 2005 requesting to take action against the PIO and 1st Appellate Authority for not furnishing information sought by him and also to arrange to furnish the information sought by him.

Basing on the material papers available on record, the appeal is taken on file.

On the earlier occasion this case was called on 27.08.2019. Since the Public Information Officer and the First Appellate Authority are absent, the case was adjourned.

Again the case is called today i.e. 27.09.2021. The appellant is Absent as the notice sent for service is returned by the Postal Authorities with remarks " the addressee left without intimation". Sri Abdul Faheem, Assistant City Planner, Circle No.6, Sardar Mahal, Charminar, Hyderabad, is present.

The PIO submitted that a reply was sent to the appellant vide letter No. 08/RTI/TPS/C6/SZ/GHMC/2019 dated 24.09.2021, inviting him to attend the office of the Dy. Commissioner, Circle No.6, CHRZ, GHMC, Hyderabad during office hours inspection of the records and to furnish the required information as per availability.

On perusal of the material papers available on record, this Commission observed that the appellant filed an application under RTI Act, seeking huge and voluminous information and further observed that the Public Information Officer sent a relevant reply to the appellant also inviting him for inspecting the records for obtaining the information.

The Public Information Officer hereby directed to once again to invite the appellant for inspection of records within a week from the date of receipt of this order and to report compliance to the Commission by furnishing permissible information.

The appeal filed is disposed off accordingly.

BUDDHA MURALI
CHIEF INFORMATION COMMISSIONER (FAC)

Authenticated by:

P.S.
Copy to: SO / SF / OC

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