

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: 040-24740665 (o); 040-24740592(f)

Appeal No. 10727/SIC-GSN/2019

Dated: 20-11-2020

Appellant : Sri Nilarapu Rajaiah, Peddapalli District-505184.
Respondents : **The Public Information Officer (U/RTI Act, 2005) /**
O/o The Tahsildar, Manthani Mandal, Peddapalli District-505184.
The Appellate Authority (U/RTI Act, 2005) /
O/o The Tahsildar, Manthani Mandal, Peddapalli District-505184.

ORDER

Sri Nilarapu Rajaiah, Peddapalli District-505184 has filed 2nd appeal dated 09-09-2019 which was received by this Commission on 14-09-2019 for not getting the information sought by him from the PIO / O/o The Tahsildar, Manthani Mandal, Peddapalli District-505184 and 1st Appellate Authority / O/o The Tahsildar, Manthani Mandal, Peddapalli District-505184.

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 20-06-2019 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:

సమాచార హక్కు చట్టం 2005, సెక్షను 6 (1) ననుసరించి కింది సమాచారాన్ని సెక్షను 4(4) ప్రకారం తెలుగు భాషలో, ప్రతి పేజీనీ సెక్షను 2(J)(ii) ప్రకారం ప్రువీకరించి ఇవ్వగలరు.

1. మంథని మండలంలోని సర్కె సం. 98/31 నందల భూయోజనముల కిరాయి మరియు వారికి సంక్రమించిన విధానం యొక్క పూర్తి వివరాల సహజావగామి మరియు సంబంధిత యా రికార్డులను తీయడం కోసం అప్లై చేయవలదు.
2. మంథని మండలంలోని సర్కె సం. 98/31 యొక్క భూయోజనముల కిరాయి, మరియు అప్పుడే వారికి క్రమబద్ధీకరించిన భూయోజనముల పూర్తి వివరాల సహజావగామి మరియు సంబంధిత రికార్డులను అప్లై చేయవలదు.
3. మంథని మండలంలోని సర్కె సం. 98 నందల కెవ్రం భూవిక్రయము మరియు భూయోజనముల పూర్తి వివరాలను మరియు సంబంధిత యా రికార్డులను తీయడం కోసం అప్లై చేయవలదు.
4. మంథని మండలంలోని సర్కె సం. 98 యొక్క కెవ్రం భూయోజనముల వివరాలను మరియు అప్పుడే వారికి క్రమబద్ధీకరించిన యాభా భూయోజనముల పూర్తి వివరాలను, సంబంధిత రికార్డులను అప్లై చేయవలదు.

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 31-07-2019 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 and non response from the 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.

P.T.O

The Appeal was taken on file and notices were issued to both the parties for hearing on 20-11-2020.

The case is called on 20-11-2020. The representative of the Appellant / Sri N. Satyanarayana is present. The Public Information Officer / O/o The Tahsildar, Manthani Mandal, Peddapalli District is absent. Sri P. Manoj Kumar, Naib Tahsildar is present on behalf of the Public Information Officer. The First Appellate Authority / O/o The Tahsildar, Manthani Mandal, Peddapalli District is absent.

The representative of the Public Information Officer submitted that vide letter Memo. No. RTI/62/2019 dated 31-08-2019, sought information was furnished to the appellant under proper acknowledgement.

The representative of the Appellant submitted that he has received intimation for payment of Rs. 32/- fee for supplying the information.

Heard both the parties and perused the material papers available on record. The Commission observed that Public Information Officer misguiding the Commission by saying complete information was furnished to the appellant vide letter No. RTI/62/2019 dated 31-08-2019, which is only an assurance letter to furnish information on payment of Rs. 32/- as cost of information. The Commission further observed that the application dated 20-06-2019 seeking information U/s. 6(1) of the RTI Act received by the Public Information Officer on 22-06-2019. Whereas the intimation for payment of cost for providing the information was issued on 31-08-2019 i.e., with a delay of more than a month. The Public Information Officer has no right to demand the additional fee with reference to Sec. 7(6) of the RTI Act refer with Sec. 7(1) of the RTI Act.

The Commission warns the Public Information Officer for misleading the Commission and directs to be careful in future by adhering strictly to the provisions of the RTI Act.

In the circumstances, the Commission directs the Public Information Officer to call the appellant to their office for verification of records on mutually convenient date and time and to furnish the desired information to the appellant within one week from the date of receipt of this order free of cost as required U/s. 7(6) of the Act and to report compliance to the Commission.

With the above directions, the appeal is closed.

Dr. Guguloth Shankar Naik
State Information Commissioner

Authenticated by:

Section Officer
Copy to: - IT Section/SF