

# 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)

## **Complaint No. 2666/SIC-GSN/2020**

**Dated: 10-12-2020**

Complainant : Sri K. Beeshma Gangeyudu, Hyderabad-500036.  
Respondent : **The Public Information Officer (U/RTI Act, 2005) /**  
O/o The Director, Scheduled Castes Development Department,  
D.S.S. Bhavan, Masab Tank, Hyderabad-500028.

## **ORDER**

Sri K. Beeshma Gangeyudu, Hyderabad-500036 has filed a Complaint dated 24-02-2020 which was received by this Commission on 27-02-2020 for not getting the information sought by him from the PIO / O/o The Director, Scheduled Castes Development Department, D.S.S. Bhavan, Masab Tank, Hyderabad-500028.

The brief facts of the case as per the Complaint and other records received along with it are that the Complainant herein filed an application dated 14-07-2019 before the PIO / O/o The Assistant Secretary to Government, Scheduled Castes Development (SCP) Department, Telangana Secretariat, Hyderabad under Sec.6(1) of the RTI Act, 2005, requesting to furnish the information on the following points mentioned in his application annexed.

Respected Sir,  
Ref:Memo No.532/SCP. A-2/2019 dated:02-04-2019.  
I have submitted my application dated:20-03-2019 to the Hon'ble Chief Secretary to Government (FAC), regarding the misuse of S.C. Sub Plan Funds by one Marry Sugnam at West Venkatapuram, Alwal. The same application was forwarded by the Chief Secretary to the Director Schedule Caste Development Department, Hyderabad to examine the issue as per rules and norms and submit the action taken report to the Government immediately. A copy was forwarded to me.  
Sir,  
I want to know the action taken by the authorities. Hence, I request the concerned authorities to furnish me the action taken by the concerned authorities against the mis-use of S.C. Sub Plan Funds, whether they are entitled to get the Scholarship under S.C. Subplan, the existing nature of the receiptant father status, whether they are Hindus or Christians, the Marry Sugnam properties and inspection report of the Revenue and Government Authorities to recommend her name for sanction of S.C. Sub plan, all information is required to take further action in this matter.

The Public Information Officer / O/o The Assistant Secretary to Government, Scheduled Castes Development (SCP) Department, Telangana Secretariat, Hyderabad vide Memo. No. 532/SCP.A2/2019-1, dated 25-07-2019 has transferred the application U/s.6(3) of the RTI Act to the Public Information Officer / O/o The Director, Scheduled Castes Development Department, Hyderabad to furnish the information directly to the complainant under intimation to their office and the same was informed to the complainant vide letter No. 532/SCP.A2/2019-3, dated 25-07-2019 with the request to make further correspondence if any in the matter with the Director, Scheduled Caste Development Department, Telangana State, Hyderabad.

As the Complainant did not receive the required information from the PIO / O/o The Director, Scheduled Caste Development Department, D.S.S. Bhavan, Masab Tank, Hyderabad, he preferred this Complaint before the Commission u/s 18(1) of the RTI Act, 2005 requesting to arrange to furnish the information sought by him.

The Complaint was taken on file and notices were issued to both the parties for hearing on 30-09-2020.

The case was called on 30-09-2020. The Complainant was present. The Public Information Officer / O/o The Director, Scheduled Castes Development Department, D.S.S Bhavan, Masab Tank, Hyderabad was absent. The Assistant Public Information Officer / Smt. J. Shylaja, Assistant Director was present on behalf of the Public Information Officer.

The Assistant Public Information Officer submitted that a reply was furnished to the complainant vide letter No. H1/2972/2019, dated 23-09-2019.

P.T.O

The Complainant submitted that he did not receive the sought information from the Public Information Officer.

The Commission directs the Public Information Officer to re-verify the records and furnish the factual information to the complainant within a week from the date of receipt of this order.

With the above direction, the case was adjourned to 10-12-2020.

On 10-12-2020 the case is called. The Complainant is present. The Public Information Officer / O/o The Director, Scheduled Castes Development Department, D.S.S. Bhavan, Masab Tank, Hyderabad is absent. The Assistant Public Information Officer / Smt. J. Shylaja, Assistant Director is present on behalf of the Public Information Officer.

The Complainant submitted that he did not receive the sought information from the Public Information Officer.

The Assistant Public Information Officer submitted that in compliance with the interim orders dated 30-09-2020 issued by the Commission in order to furnish required information further details were sought from the complainant by issuing a letter No. H1/2972/2019 dated 06-10-2020 and filed an affidavit to the effect.

The letter dated 06-10-2020 referred above requires the following details:

- “1. Name of the Scholarship scheme”
2. Name of college, course and period she was studied along with address
3. Name of the village, mandal and district she belongs to”

The Commission verified the material papers available on record and found that the Public Information Officer is entering into correspondence with the complainant seeking further details in order to furnish the information sought.

In the circumstances of the case the Commission refers to Sec. 2(f) of the RTI Act which reads as follows:

*“information” means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force”.*

As per the above provision the Public Information Officer is suppose to furnish available and held information and not by entering into correspondence with the applicant/complainant.

In the circumstances of the case the Commission directs the Public Information Officer to furnish the available and held information to the complainant and the complainant is advised to seek specific information from the Public Information Officers of the Public Authorities concerned by filing separate applications afresh if he desires so.

The Complaint filed is disposed accordingly.

**Dr. Guguloth Shankar Naik**  
**State Information Commissioner**

**Authenticated by:**

**Section Officer**  
**Copy to: - IT Section/SF**