

# 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. 437/SIC-GSN/2019**

**Dated: 18-12-2020**

Appellant : Sri Shaik Madar Saheb, Khammam District-507122.

Respondents : **The Public Information Officer (U/RTI Act, 2005) /**  
The District Revenue Officer, O/o The Collector and District  
Magistrate, Khammam, Khammam District.

**The Appellate Authority (U/RTI Act, 2005) /**  
The Joint Collector, O/o The Collector and District Magistrate,  
Khammam, Khammam District.

## **ORDER**

Sri Shaik Madar Saheb, Khammam District-507122 has filed 2<sup>nd</sup> appeal dated NIL which was received by this Commission on 11-01-2019 for not getting the information sought by him from the PIO / The District Revenue Officer, O/o The Collector and District Magistrate, Khammam, Khammam District and 1<sup>st</sup> Appellate Authority / The Joint Collector, O/o The Collector and District Magistrate, Khammam, Khammam District.

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 24-09-2018 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 11/5/2014 వరకు కనీసం ఎన్ని భూములు కలెక్టర్ ఆఫీసులో ఉన్నాయి మరియు వాటి వివరాలు ఏమిటి. ఈ వివరాలను గురించి గుడిపాటి గ్రామ పంచాయతీ నుండి తెలియజేయండి.  
② గుడిపాటి గ్రామ పంచాయతీ గురించి గుడిపాటి గ్రామ పంచాయతీ నుండి తెలియజేయండి.  
③ గుడిపాటి గ్రామ పంచాయతీ గురించి గుడిపాటి గ్రామ పంచాయతీ నుండి తెలియజేయండి.  
ACT మరియు గుడిపాటి గ్రామ పంచాయతీ నుండి తెలియజేయండి.  
25 వార్డుల కలెక్టర్ ఆఫీసులో ఉన్న భూముల వివరాలు తెలియజేయండి.

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 1<sup>st</sup> appeal dated 01-11-2018 before the 1<sup>st</sup> Appellate Authority u/s 19(1) of the RTI Act, 2005 requesting him to furnish the information sought by him.

As per records enclosed it is noticed that the 1st Appellate Authority had failed to hear the case and pass appropriate orders on the 1<sup>st</sup> appeal filed before him.

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

The Appeal was taken on file and notices were issued to both the parties for hearing on 21-10-2020 and on 18-12-2020.

The case was called on 21-10-2020. The Appellant was absent. The Public Information Officer / The District Revenue Officer, O/o The Collector and District Magistrate, Khammam, Khammam District was absent. Sri K. Narasimha Rao, Naib Tahsildar was present on behalf of the Public Information Officer. The First Appellate Authority / The Joint Collector, O/o The Collector and District Magistrate, Khammam, Khammam District was absent.

The representative of the Public Information Officer submitted that a reply was furnished to the appellant vide Memo. No. C3/RTI-PIO/2744/2018, dated 20-10-2018 stating that the sought information was not clear and was not available in their office.

P.T.O

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The Commission directed the Public Information Officer to verify the 6(1) application once again and to furnish the sought information to the appellant within one week.

**The case was adjourned to 18-12-2020.**

On 18-12-2020 the case is called. The Appellant is absent. The Public Information Officer / The District Revenue Officer, O/o The Collector and District Magistrate, Khammam, Khammam District is absent. Sri P. HNR Guru Deepak, Typist is present on behalf of the Public Information Officer. The First Appellate Authority / The Joint Collector, O/o The Collector and District Magistrate, Khammam, Khammam District is absent.

The representative of the Public Information Officer submitted that the Commission passed an interim order dated 21-10-2020 for furnishing information within a week's time by re-verifying the application filed U/s. 6(1) of the RTI Act. That they have re-verified the application filed U/s. 6(1) of the RTI Act, and found that the information sought is not specific that a reply was already furnished in the matter vide letter dated 20-10-2018 and further vide letter dated 02-12-2020 requested the appellant to seek specific information by filing separate application U/s. 6(1) of the RTI Act.

The Commission examined the issue with reference to the affidavit filed by the Public Information Officer dated 04-12-2020 and the orders issued by First Appellate Authority dated 07-01-2019, which reads as follows:

*"The appellant is asking for Revenue acts and G.Os by quoting a paper report (Sakshi Newspaper dated 11-05-2014) in which the Hon'ble High Court has given a Judgment/Order on certain types of land enjoyed by people. The appellant is asking for generalized information on Revenue Acts/G.Os. He is not able to specify the act/G.O and the context in which he is seeking the information.*

*During the hearing the appellant stated that his forefathers are enjoyers of Government lands in Utkoor Village of Kamepally Mandal, but so far no assignment was given to them despite continuous enjoyment of these lands. The First Appellate Authority asked him to give a separate application under RTI Act, seeking details of the assigned lands of Utkoor Village, enjoyed by his family. Upon making these remarks, the case is hereby closed with a note to be given to appellant explaining the reasons for not furnishing the information desired by the appellant, therefore the appeal is disposed U/s. 19(6) of the RTI Act, 2005."*

The Commission after examining the issue come to an understanding from the order issued by the First Appellate Authority read above that the fore fathers of the appellant are enjoyers of the Government lands in "Utkoor Village" for whom no assignments were made.

The motto behind seeking all G.Os Act and Rules concerning land mere purpose of assignment of land in favour of the enjoyers of the Government lands in Utkoor Village which is a personal grievance.

Keeping in view of above, the Commission directs the appellant, as already made clear by the First Appellate Authority he has to file a separate application under RTI Act U/s. 6(1) seeking information on the assigned lands in the village or to file spate application for assignment of the government land subject to his eligibility if he is in enjoyment over the government land in the Utkoor Village.

The Commission further directs the Public Information Officer concerned to provide a copy of Assignment Rules on Agriculture lands to the appellant as well as a copy of Telangana Assigned lands (Prohibition of Transfer) Act, 1977 with latest Amendments if any, within two weeks from the date of receipt of this order and to report compliance to the Commission.

With the above direction, the appeal is closed.

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

**Authenticated by:**

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