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.13831/SIC-KSR/2019
Dated: 03-11-2020

Appellant : Sri D. Seshagiri Rao, Ranga Reddy District-500 035.

Respondents : **The Public Information Officer (U/RTI Act, 2005) /**
O/o the Deputy Commissioner, Greater Hyderabad Municipal Corporation, Saroornagar, Circle-5, Hyderabad

The Appellate Authority (U/RTI Act, 2005) /
O/o the Zonal Commissioner, Greater Hyderabad Municipal Corporation, L.B. Nagar Zone, Hyderabad.

O R D E R

Sri D. Seshagiri Rao, Ranga Reddy District-500 035 has filed 2nd appeal dated 20-11-2019 which was received by this Commission on 20-11-2019 for not getting the information sought by him from the PIO / O/o the Deputy Commissioner, Greater Hyderabad Municipal Corporation, Saroornagar, Circle-5, Hyderabad and 1st Appellate Authority / O/o the Zonal Commissioner, Greater Hyderabad Municipal Corporation, L.B. Nagar Zone, Hyderabad.

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 **22-10-2018** 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:

Sub:- Encroachment of Public Road beside lane at H.No. 11-5-139, Srinivasa Colony connecting Road to Venkateswara Colony, Saroornagar – Certain information requested under Right to Information Act, 2005 (RTI Act-2005) in the interest of public – Regarding.

Ref:- 1) Representation of President, Srinivasa Colony Phase-I Association, dated 01-10-2018.
2) Representation of President, Srinivasa Colony Phase-I Association, dated 03-10-2018.

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Adverting to the subject cited, we would like to seek information under Right to Information Act, 2005 in the public interest as detailed below:

(1) Is the cement road beside lane at H.No. 11-5-139, Srinivasa Colony approach to Venkateswara Colony, Saroornagar was laid by the then L.B.Nagar Municipality / GHMC give particulars in details.

(2) Is the cement road beside lane at H.No. 11-5-139, Srinivasa Colony approach to Venkateswara Colony, Saroornagar by digging cement road damaged or not? In case damaged, what action initiated by the concerned.

(3) Is the cement road beside lane at above place digging basement filled with stones and started for construction of compound wall as such any permission given by the concerned authorities. Please furnish details.

(4) At our representation initiated any action taken by the Municipal authorities and whether the road is required for use of public or not?

(5) Is the cement road beside lane at H.No. 11-5-139, Srinivasa Colony falls under Gramakantam of Saroornagar Village or not?

(6) Is the said cement road is existing used by the public can be damaged without prior permission of the GHMC? If public property damaged what action will be taken by the GHMC?

(7) If the road is used by the public at said place since 25 and above years any one can claim the Ownership Rights by producing documents? When easement rights can be applied? Please furnish details.

(8) Is the said cement road at the above place can be protected by the GHMC in the interest of the public or not?

We request the kind authority to look in to the matter and furnish the information under RTI Act, 2005 in the interest of public at an early date. The RTI Application fee of Rs. 10/- paid through Indian Postal Order vide No: 989408, dated 25-06-2018 duly enclosed.

P.T.O

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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 **22-11-2018** 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 furnished the information 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.

The Appeal was taken on file and the case is posted for hearing over phone on 03-11-2020.

On overview spread of COVID-19, the case is heard over phone on 03-11-2020. Both the parties are contacted on telephone. The Appellant and the Public Information Officer are heard.

The Appellant submitted that he filed 6(1) application dated 22-10-2018 seeking information from the Public Information Officer on eight items. He also submitted that he has not received the sought information from the Public Information Officer. He further submitted that the Public Information Officer called him yesterday and informed him that no cc road is existing at Venkateshwara Colony, Saroornagar.

The Public Information Officer submitted that vide letter No.EE5/SRNR/GHMC/RTI/2020-21 dated 02-11-2020, available information was furnished to the appellant.

The Commission directed the Public Information Officer to furnish the complete information to the appellant, within two weeks from the date of receipt of this order and submit compliance report to this Commission.

With the above direction, the appeal is closed.

Katta Shekar Reddy
State Information Commissioner

Authenticated by:

Section Officer
Copy to: - IT Section/SF

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