

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: 040-24740667 (o); 040-24740592(f)

Appeal No.11111/SIC-KSR/2022

Dated: 17-01-2023

- Appellant : Sri Momin Mohammed Yacoob, H.No.16-2-138/A,
Flat No.503, Madina Residency, Akberbagh, Malakpet,
Hyderabad-500036.
- 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, Doctors Colony,
Hyderabad-500035.

ORDER

Sri Momin Mohammed Yacoob has filed 2nd appeal dated 04-08-2022 which was received by this Commission on 04-08-2022 for not getting the information sought by him from the PIO / O/o. the Zonal Commissioner, Greater Hyderabad Municipal Corporation, L.B. Nagar Zone, Doctors Colony, Hyderabad-500035 and 1st Appellate Authority / O/o. the Zonal Commissioner, Greater Hyderabad Municipal Corporation, L.B. Nagar Zone, Doctors Colony, Hyderabad-500035.

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 07-05-2022 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:

Kindly provide me the following information pertaining to construction and sanction of "Building Permit Order" of a multi-storey Apartment in your Zone. The information, wherever it is required, may kindly be provided in the form of true copies of concerned Rules & Regulations, Conditions and any G.Os on the said subject.

- 1) Whether City/Town Planning Section of your Zone is legally authorized to issue "Building Permit Order" allowing the site Owners/Builder to construct six (6) floors on an area of 225 square yards?
- 2) What action will be taken against the site owners/builder if they obtained "Building Permit Order" by concealing the facts on site area, which amounts to false and fabricated as per Section 450 of HMC Act 1955?
- 3) What action will be taken by the GHMC authorities against the site owners/builder if they construct six (6) floors as against the permission given by the GHMC to construct only two (2) floors?
- 4) What action will be taken against the concerned authorities of GHMC for not inspecting and deliberately permitting the Site owners/Builders to construct additional floors over and above the sanctioned floors?
- 5) What action will be taken against the concerned GHMC authorities for not issuing Occupancy Certification to the site owners/builder as per Section of 455 of HMC Act 1955 on completion of the building which is already occupied by the residents?
- 6) What action will be taken against the Site owners/Builder for not submitting "Building Completion Report" as per Section 455 of HMC Act 1955 to the concerned authorities of GHMC and allowing residents to occupy the flats on all floors which were illegally constructed?
- 7) What action will be taken against the site owners/builder for not leaving set-backs around building as per building permit order, not providing transformer, fire safety system, CCTV Cameras and Generator for alternate electric supply, in the Apartment?

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 22-06-2022 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 failed to hear the case and pass appropriate orders on the 1st appeal filed before him.

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.

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Basing on the material papers available on record, the appeal was taken on file and notices were sent to the parties concerned directing them to appear before this Commission for hearing on 17-01-2023.

The case is called on 17-01-2023. The Appellant is present. Sri R.Devender, Assistant City Planner is present on behalf of the Public Information Officer. The First Appellate Authority is absent.

The representative of the Public Information Officer submitted that information was furnished to the appellant vide Letter Roc. No. RTI/1330/DC-5/2022 dated 03-11-2022.

The Appellant submitted that he has received the above information from the Public Information Officer.

Since available and held information was furnished, the appeal is closed.

Katta Shekar Reddy
State Information Commissioner

Authenticated by:

PS to SIC
Copy to: - IT Section/SF

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