

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.8798 /SIC-KSR/2022

Dated: 06-02-2023

- Appellant : Sri C. Suryanarayana, H No.59/11, LIGH,
4th Phase, KPHB Colony, Hyderabad-500085.
- Respondents : **The Public Information Officer (U/RTI Act, 2005) /**
O/o. the Asst. Commissioner of Police, Central Crime Station,
Detective Department, Lakidikapool, Hyderabad - 500004
- The Appellate Authority (U/RTI Act, 2005) /**
O/o. the Joint Commissioner of Police, Detective Department,
Lakidikapool, Hyderabad - 500004.

ORDER

Sri C. Suryanarayana has filed 2nd appeal dated 24-06-2022 which was received by this Commission on 24-06-2022 for not getting the information sought by him from the PIO / O/o. the Asst. Commissioner of Police, Central Crime Station, Detective Department, Lakidikapool, Hyderabad - 500004 and 1st Appellate Authority / O/o. the Joint Commissioner of Police, Detective Department, Lakidikapool, Hyderabad - 500004.

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 11-05-2022 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:

As per the above subject an enquiry was ordered in Feb/March 1986 against me based on some allegations made by influential quarters. Hence request to kindly provide certified copy of the enquiry report done on the orders of the then Dy. Commissioner-Police Sri. Srikanth Reddy, to the CCS for parallel enquiry.

A certified copy of the enquiry report may please be provided to me (applicant herein) under Sec.6 (1) of RTI Act, 2005 since the above information pertains to me only.

The Public Information Officer has furnished a reply to the appellant vide Lr.No. 195/OW/ACP/ADMIN/DD/2022, dated 01-06-2022.

Since the appellant was not satisfied with the reply received from the Public Information Officer, he filed 1st appeal dated 07-06-2022 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 has furnished a reply to the appellant vide Lr.No. Cr/R5/RTI Act/1189/DD/2022/1579, dated 18-06-2022.

As the appellant was not satisfied with reply received from the Public Information Officer and 1st Appellate Authority, 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.

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 06-02-2023.

The case is called on 06-02-2023. The Appellant is present. The Public Information Officer/ Sri A.Anjaiah, Sub-Inspector is present. The First Appellate Authority is absent.

P.T.O

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The representative of the Public Information Officer submitted that vide letter No.195/OW/ACP/ADMIN/2022 dated 01-06-2022, a reply was given stating that the information sought by the appellant is not traced out, since it belongs to 35 years old record.

On perusal of the record, it is seen that the appellant had filed 6(1) application on 11-05-2022, the Public Information Officer has furnished reply vide letter No.195/OW/ACP/ADMIN/2022 dated 01-06-2022. The Appellate Authority O/o. the Jt. Commissioner of Police, Detective Department, Hyderabad also sent a reply to the appellant vide letter No. Cr/R5/RTI Act/1189/DD/2022/1579 dated 18-06-2022, stating that the matter has been examined and it was found that there is no scope to furnish the information, which is 35 years old.

It is relevant here to extract Section 8(3) of the R.T.I Act, which reads as follows:

“Subject to the provisions of clauses (a), (c) and (i) of sub-section (1), any information relating to any occurrence, event or matter which has taken place, occurred or happened twenty years before the date on which any request is made under section 6 shall be provided to any person making a request under that section:

Provided that where any question arises as to the date from which the said period of twenty years has to be computed, the decision of the Central Government shall be final, subject to the usual appeals provided for in this Act.”

In the light of the above Section, since the information sought by the appellant is more than 30 years old and the Public Information Officer has mentioned that they have made all possible efforts but the records are not traceable, the Commission is satisfied with the submissions made by the Public Information Officer and hence, the appeal is closed.

Katta Shekar Reddy
State Information Commissioner

Authenticated by:

PS to SIC
Copy to: - IT Section/SF