

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: 040-24740638 (o); 040-24740592(Fax)

Appeal No.1030/SIC-Dr.Mohd.Ameer/2020

Dated: 29-11-2021

Appellant : Sri Mohd Ashraf, R/o. Kumuram Bheem Asifabad District

Respondents : **1. The Public Information Officer (U/RTI Act, 2005) /**
The Principal, TMRS & JC, Kaghaznagar Boys-1, Gannaram,
Kaghaznagar, Kumaram Bheem Asifabad District

2. The Public Information Officer (U/RTI Act, 2005) /
The Principal, TMRS & JC, Kaghaznagar Boys-2, Gannaram,
Kaghaznagar, Kumaram Bheem Asifabad District

3. The Public Information Officer (U/RTI Act, 2005) /
The Principal, TMRS & JC, Asifabad Girls-I, Babapur, Asifabad,
Kumaram Bheem Asifabad District

The Appellate Authority (U/RTI Act, 2005) /
O/o. the District Minorities Officer, Kumuram Bheem Asifabad
District.

ORDER

Sri Mohd Ashraf, R/o. Kumuram Bheem Asifabad District filed 2nd appeal dated 18-01-2019 which was received by this Commission on 24-01-2020 for not getting the information sought by him from the PIO / 1) The Principal, TMREIS, Gannavaram (Boys Hostel-I), Sirpur-Kagaznagar-504296, Komaram Bheem Asifabad District 2) The Principal, TMREIS, Gannavaram (Boys Hostel-II), Sirpur-Kagaznagar-504296, Komaram Bheem Asifabad District 3) The Principal, TMREIS, Babapur (Girls-1), Asifabad, Komaram Bheem Asifabad District and 1st Appellate Authority / O/o. the District Minorities Officer, Kumuram Bheem Asifabad 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 03-10-2019 under Sec.6(1) of the RTI Act, 2005, before the PIO seeking the following information:

- 18, నిర్దేశముల ప్రకారం పరిష్కరించవలసిందిగా మిక్కిలి వినయపూర్వకం ఆక్షేపణ.
- మీరు మీ పరిధిలోని పాఠశాలలకు సంబంధించిన వాటి వివరాలు, మీతో ఉన్నత అధికారులు జరిపిన సమావేశాల నివారణను 2017 నుండి నేటి వరకు ఇవ్వగలరు.
- మీ పరిధిలోని పాఠశాలలో Teaching & Non teaching staff కి సంబంధించిన Appointments కొరకు ప్రభుత్వం జారీ చేసిన ఆదేశాల ప్రతులు ఇవ్వగలరు.
- మీరు మీ పరిధిలోని పాఠశాలలో ప్రస్తుతం పని చేస్తున్న/గతంలో పని చేసే వెళ్ళిన సిబ్బంది(All types of Employees) యొక్క నియామక పత్రాలు మరియు వారికి ఏవిధంగా నియామకం చేసినారో తెలియపరచగలరు.
- మీ పాఠశాలలో ఏ ప్రభుత్వ నియామక ప్రకారం పిల్లలను తీసుకుంటున్నారు. వాటి Check List ను ఇవ్వగలరు. ప్రభుత్వ ఆదేశాల ప్రకారం ఆయా వర్గాలకు ఏ విధంగా కేటాయించినారో తెలియపరచగలరు.
- మీ పరిధిలోని పాఠశాలలో Teaching & Non teaching staff కి సంబంధించిన Single Section & Double Section కి ప్రభుత్వం కేటాయించిన స్టాఫ్ Pattern ప్రతిని ఇవ్వగలరు.
- మీ పరిధిలోని పాఠశాలలో Teaching & Non teaching staff కి సంబంధించిన appointments కొరకు జిల్లా మరియు మండల 3men కమిటీలు లేదా రాష్ట్ర స్థాయి లో ఇచ్చిన నోటిఫికేషన్, వచ్చిన దరఖాస్తులు, సెలక్షన్ ప్రాసెస్, కట్ ఆఫ్ మార్కులు, ఫైనల్ లిస్టు మరియు వాటి అర్డర్ ప్రతులు ఇవ్వగలరు.
- మీ పరిధిలోని పాఠశాలలో Mandal 3 Men committee ద్వారా Teaching & Non Teaching Staff posts భర్తీ కొరకు మీరు కమ్యూనికేట్ చేసిన ఫైల్ యొక్క DR number, Inward/ outward లేదా మీరు ఈ ప్రోస్ట్ర యొక్క భర్తీ కొరకు ఎటువంటి చర్యలు చేపట్టినారో వాటి ప్రతులను ఇవ్వగలరు.

The Public Information Officer through Letter No. 579/DMWO/2019 dated -10-2019 transferred the application U/s 6(3) to the Public Information Officer, 1) The Principal, TMREIS, Gannavaram (Boys Hostel-I), Sirpur-Kagaznagar, Komaram Bheem Asifabad District 2) The Principal, TMREIS, Gannavaram (Boys Hostel-II), Sirpur-Kagaznagar-504296, Komaram Bheem Asifabad District 3) The Principal, TMREIS, Babapur (Girls), Asifabad, Komaram Bheem Asifabad District for furnishing the sought information.

The Public Information Officer has not furnished the sought information to the appellant.

Since the appellant did not receive the information from the Public Information Officer, he filed 1st appeal dated 09-12-2019 before the 1st Appellate Authority requesting him to furnish the information sought.

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

As the appellant did not get information from the Public Information Officer, he preferred this 2nd appeal before this Commission requesting to arrange to furnish the information sought by him.

The 2nd Appeal was taken on file and notices were issued to both the parties for hearing on 29-11-2021.

On 29-11-2021 the case is called. The Appellant is absent. The PIO-I / Principal, TMRS & JC, Kaghaznagar Boys-1, Gannaram, Kaghaznagar, Kumaram Bheem Asifabad District is present. The PIO-II / Principal, TMRS & JC, Kaghaznagar Boys-2, Gannaram, Kaghaznagar, Kumaram Bheem Asifabad District is present. The PIO-III / Principal, TMRS & JC, Asifabad Girls-I, Babapur, Asifabad, Kumaram Bheem Asifabad District is present. The First Appellate Authority / O/o. the District Minorities Welfare Officer, Asifabad, Kumaram Bheem Asifabad District is present.

The First Appellate Authority submitted that the 6 (1) application was transferred U/s. 6(3) of RTI Act, 2005 on 18-10-2019 to all the (3) TMRS Schools under his Jurisdiction to furnish information directly to the appellant. He further submitted that the PIOs of respective TMRS Schools furnished information to the appellant on 25-10-2019, 31-10-2019. The First Appellate Authority further submitted that the information sought by the appellant weighed nearly 2 to 5 kgs and as such the same was sent by courier by incurring expenditure about Rs. 100 to 500.

The Commission observed that the appellant is absent in all the cases (16) cases heard today. He neither filed affidavit nor attended hearing personally to present his version in the cases.

The record goes to show that the appellant sought information on (7) points of various matters relating to all the schools working under TMREIS with regard to teaching and non-teaching staff and related matters.

The Commission is of the view that the appellant is seeking vast information on (7) points without disclosing the larger public interest in seeking such huge information. Moreover, he is seeking information in one application of all the schools working under TMRIES, instead he ought to have limited seeking information of one office and ought to have filed separate 6 (1) applications to the PIOs concerned of schools. It is highly regretted to hear from the First Appellate Authority that the sought information was so huge running into (5) kgs and incurred heavy expenditure to send the information by courier. Hence, the appellant is advised to desist from filing such applications and be specific, limited in seeking information and confine the 6 (1) application to the PIOs concerned to avoid burden on the PIOs.

In this context it would be relevant to refer to the decision of the Hon'ble Apex Court in the Civil Appeal No. 6454 of 2011 (arising out of SLP(C) No. 7526/2009 in CBSE and Anr (Appellants) vs Aditya Bandopadhyay & others (Respondents). Wherein the Court observed thus:

"The right to information is a cherished right. The provisions of RTI Act should be enforced strictly and all efforts should be made to bring to light the necessary information under clause (b) of section 4(1) of the Act which relates to securing transparency and accountability in the working of public authorities and in discouraging corruption. Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritizing 'information furnishing', at the cost of their normal and regular duties."

Following the ratio laid-down in the above decision the applicant is advised to restrict his questions to minimum possible and to ask specific questions. Answering, elaborate and detailed queries which have to be both accurate and authentic imposes heavy cost on the public authority and tends to divert its resources, which brings it within the scope of section 7(9) of RTI Act.

Since information furnished, the Appeal is closed.

**Dr. Mohd. Ameer
State Information Commissioner**

Authenticated by:

**Assistant Registrar
Copy to: IT Section/SF**

T S I C