

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.13160/SIC-Dr.Mohd.Ameer/2019

Dated: 27-04-2022

Appellant : Sri Prakash Chandra, R/o. Maharashtra State

Respondents : **The Public Information Officer (U/RTI Act, 2005) /**
O/o. the Deputy Commissioner, Greater Hyderabad Municipal Corporation (GHMC), Circle-17, Khairatabad, Hyderabad

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

ORDER

Sri Prakash Chandra, R/o. Maharashtra State filed 2nd appeal dated 04-11-2019 which was received by this Commission on 05-11-2019 for not getting the information sought by him from the PIO / O/o. the Deputy Commissioner, Greater Hyderabad Municipal Corporation (GHMC), Circle-17, Khairatabad, Hyderabad and 1st Appellate Authority / O/o. the Zonal Commissioner, Greater Hyderabad Municipal Corporation (GHMC), Khairatabad 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 17-06-2019 under Sec.6(1) of the RTI Act, 2005, before the PIO seeking the following information:

We request you (PIO) to provide point wise information for all the below requested points.

Below mentioned is the list of the required information

- 1) Please refer enclosed copy of your Dy. Commissioner, GHMC issued Notice and provide attested copy of the following collected documents
A) Link Document Dated 16-01-1984,
B) Judgment of the Suit O.S. 6434 of 1998.
C) Decree of the Suit O.S. 6434 of 1998.
- 2) Please provide the Door No. for which above said Judgment and Decree of Suit O.S. 6434 of 1998, is given.
- 3) Please provide the action taken details (filed Police Complaint) against the criminals mafia K.Shiv Shankar and his team, who misused GHMC for the illegal acts, in case asked documents are not furnished even after the issued Notice dated 22.01.2015, by Dy. Commissioner, GHMC Circle-X, (new XVII).
- 4) Please provide in details responsibility of the Dy. Commissioner, GHMC after knowing the fraud / crime illegal acts come to knowledge.
- 5) Please provide us the facts regarding not attending the duty by Y. Subhas, ACP (Asst. City Planner) of your Circle – X (new XVII) GHMC.
- 6) Please provide complete Name of the present / newly appointed ACP (Asst. City Planner) of your Circle-X(new XVII) GHMC.
- 7) Please provide attested copy of your (Dy. Commissioner) issued orders regarding our filed Memorandum dated 14/06/2019, regarding our pending compensation against the Land affecting under GHMC road widening plan at Sanathnagar.

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 31-07-2019 before the 1st Appellate Authority requesting him to furnish the information sought.

The First Appellate Authority through letter No. 023/ ZC/KZ/RTI/GHMC/2019 dated 04-09-2019 directed the Public Information Officer to furnish the sought information to the appellant within (3) days.

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 **07-09-2021**.

On 07-09-2021 the case is called. The Appellant is present. The PIO / O/o. the Deputy Commissioner, GHMC, Circle-17, Hyderabad is absent. The First Appellate Authority / O/o. the Zonal Commissioner, GHMC, Khairathabad Zone, Hyderabad is absent.

The Appellant submitted that he did not receive the sought information till date. He further submitted that the First Appellate Authority vide Order dated 04-09-2019 directed the PIO to furnish information within (3) days and the Additional Commissioner (Legal), GHMC in his letter dated 03-08-2016 asked PIO to furnish the information to avoid future legal complication. Despite this, information not furnished so far which reveals their wrong intentions to suppress their committed series of illegal / crime acts which involves Rs. 50 crores. Hence, he requested the Commission to direct the PIO to furnish information and impose penalty for violating RTI rules to prevent harassment to common citizens by misusing the official status.

Heard the appellant and perused the records.

The record goes to show that the 6 (1) application was filed on 15-06-2019 and first appeal on 31-07-2019. The PIO failed to furnish the information despite order of the First Appellate Authority, which shows the utter negligence of the PIO.

In view of the above, the Commission directs the PIO to furnish the sought information point wise within (15) days from the date of receipt of this order and submit compliance to the Commission.

With the above direction, the case was **adjourned to 27-04-2022**.

On 27-04-2022 the case is called. The Appellant is present. The Public Information Officer / Deputy Commissioner, Circle-17, Khairathabad, GHMC, Hyderabad is absent. The 1st Appellate Authority is absent.

The case was earlier heard and adjourned on 07-09-2021 with a direction to Public Information Officer to furnish full information to the appellant **within (15) days** from the date receipt of this order and submit compliance to the Commission.

The Appellant submitted that he did not receive the sought information from the Public Information Officer despite orders of the Commission. He pleaded the Information Commission to consider issue of order of warrant by filing Police complaint on the Public Information Officer for the act of disobedience as ordered by the Hon'ble Arunchal Pradesh Information Commission in case No.APIC/42/2009/655 dated 31-07-2009.

The Commission directs the Public Information Officer once again to furnish the sought information point wise to the appellant **within (15) days** from the date of receipt of this order and submit compliance to the Commission.

With the above direction, **the Appeal is closed**.

Issue **show cause notice** to Public Information Officer for not furnishing the sought information to the appellant within the stipulated time and for not attending hearing before the Commission twice. The action on the show cause notice shall be dealt with separately

Dr. Mohd. Ameer
State Information Commissioner

Authenticated by:

Assistant Registrar
Copy to: IT Section/SF