

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. 5015, 5063 /SIC-Dr.Mohd.Ameer/2020

Dated: 25-04-2022

Appellant : Sri K. SOMASHEKHAR RAO, R/o Hyderabad District

Respondents : The Public Information Officer (U/RTI Act, 2005) /
O/o The District Cooperative Officer, Subash Nagar, Nizamabad District

The Appellate Authority (U/RTI Act, 2005) /
O/o The District Cooperative Officer, Subash Nagar, Nizamabad District.

ORDER

Sri K. SOMASHEKHAR RAO, R/o Hyderabad District filed 2nd appeal dated 03-06-2020 which was received by this Commission on 15-06-2020 for not getting the information sought by him from the PIO / O/o The District Cooperative Officer, Subash Nagar, Nizamabad District and 1st Appellate Authority / O/o The District Cooperative Officer, Subash Nagar, Nizamabad 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 03-12-2019 under Sec.6(1) of the RTI Act, 2005, before the PIO seeking the following information:

1(A)2017-2018 ఆర్థిక సంవత్సరములో నిజామాబాదు జిల్లా లోని ఏరాధమిక వ్యవసాయ సహకార సంఘాల పరి ధాన్యము కొనుగోలు చేసినందుకు కమిషన్ రూపిణా 2018-2019,2019-2020 years లలో సెవిల్ నపై వారు ఎంత మొత్తములో చెల్లించినారు.(B) ఎ రోజున జిల్లా సహకార అధికారి ఖాతాకు జమైవది (C) ఎ సంఘానికి ఎంత చెల్లించారు (D) ఎ రోజున ఏ సంఘానికి చెల్లించారు ఏవరాలు ఇవ్వగలరు. (E) సంఘాల కు చెల్లించవలసిన కమిషన్ నుండి 2% వసూలు చేసే నారా ికవేశ వసూలు చేసిన ఏవరాలు ఇవ్వ గలరు.

2)(A) Nizamabad జిల్లా సహకార అధికారి (DCC) కార్యాలయము నకు లేదా జిల్లా సహకార అధికారి ద్వారా నిర్వహించు ఖాతాలు ఎన్ని బ్యాంకులలో ఖాతాలు కలవు అనగా ప్రభుత్వ బ్యాంకులు ప్రయివేటు బ్యాంకులు సహకార బ్యాంకులందు ఎన్ని బ్యాంకులందు ఖాతాలు కలవు.(B) అట్టి ఖాతాల సంబంధ తెలువగలరు. (C) జిల్లా సహకార అధికారి నిర్వహించు బ్యాంకు ఖాతాల ఫైచ్చెంట్లు 2018-2019,2019-2020 సంవత్సరాల వి నర్తి పై డి కపే లు అందించగలరు.

3) జాయింట్ ఫార్మింగ్ సొసైటీ ల గురించి గతములో ప్రభుత్వము ఇచ్చిన నిధులు బ్యాంకులలో ఏ వైన నిల్వ ఉన్నావా ఉంటే ఎంత ఉన్నవి అట్టి నిధుల వినియోగ ఏవరాలు 2018-2019,2019-2020 సంవత్సరాలవి ఇవ్వగలరు

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 28-01-2020 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 the parties concerned for hearing on 25-04-2022.

On 25-04-2022 the case is called. The Appellant is present. The Public Information Officer, O/o the District Cooperative Officer, Nizamabad is present. The 1st Appellate Authority is absent.

The Appellant submitted that he did not receive the sought information from the Public Information Officer.

The Public Information Officer submitted that the appellant was permitted to inspect the records on 13-07-2021, 10-08-2021, 13-09-2021, 25-09-2021 and 10-02-2022 but he did not turn up for inspection nor present before the 1st Appellate Authority.

The Public Information Officer produced the detailed report of the Additional Collector, Nizamabad District wherein it is alleged that the appellant was Ex-President of PACS Ltd., Ethonda which is under the administrative control of DCO, Nizamabad that he lost elections held in the month of February 2020 to the post Director, PSCS Ltd., Ethonda and since then he has been filing number of General, Prajavani and RTI applications numbering more than (100) seeking information repeatedly on the same matter with personal grudge on the DCO, Nizamabad thereby causing disturbance to official department regular work that he has been in habit of filing applications and threatening officers by showing penalties under the RTI Act 2005.

The Additional Collector further referred to the case of Hon'ble Supreme Court of India in CBSE and another Vs. Aditya Bandopadhyaya wherein it is ordered that:

"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."

Finally the Additional Collector, Nizamabad submitted that they have great respect to the Commission and will comply orders of the Commission on priority. But in the instant case the applicant has been filing repeated applications on the same matter and as such requested to block list the applicant from filing such unnecessary petitions in the interest of smooth functioning of the administration.

The Commission took serious note of the observations made by the Additional Collector, Nizamabad and the appellant is hereby admonished not to file such repeated applications on the same matter hereafter which would amount to misuse or abuse of RTI Act 2005 and the Commission will be constrained not to entertain such applications.

The Commission observed that the appellant in his 6(1) application is seeking voluminous information without disclosing the larger public interest involved in it. He is advised to seek specific information in brief in future.

The Commission directs the Public Information Officer to give one more opportunity for inspection of records and to furnish the available information to the appellant on payment of cost **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. 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

TSLIC