

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.9795/SIC-Dr.MA/2019

Dated: 26-04-2022

Appellant : Dr. V. Muralidhar Reddy, R/o. Warangal Urban District

Respondents : **The Public Information Officer (U/RTI Act, 2005) /**
O/o. the Tahsildar, Dharmasagar Mandal, Warangal Urban District

The Appellate Authority (U/RTI Act, 2005) /
O/o. the Revenue Divisional Officer, Warangal Urban Division,
Warangal Urban District.

ORDER

Dr. V. Muralidhar Reddy, R/o. Warangal Urban District filed 2nd appeal dated 23-08-2019 which was received by this Commission on 23-08-2019 for not getting the information sought by him from the PIO / O/o. the Tahsildar, Dharmasagar Mandal, Warangal Urban District and 1st Appellate Authority / O/o. the Revenue Divisional Officer, Warangal Urban Division, Warangal Urban 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 27-10-2018 under Sec.6(1) of the RTI Act, 2005, before the PIO seeking the following information:

సమాచార హక్కు చట్టం 2005, సెక్షన్ 6 (1) ననుసరించి కింది సమాచారాన్ని సెక్షన్ 4(4) ప్రకారం తెలుగు భాషలో ప్రతి పేజీని సెక్షన్ 2(j)(ii) ప్రకారము ద్రువీకరించి ఇవ్వగలరు.

తేది 06/10/2018 రోజున అర్.డి.ఓ వరంగల్ గార్మి ధర్మసాగర్ తహసీల్దార్ గారు ఇచ్చిన నివేదిక Ref. No. RC.No.B/1558/2017, dated 06/10/2018 అనుసరించి కింది సమాచారాన్ని ద్రువీకరించి ఇవ్వగలరు.

- అట్టి నివేదికకు(రిపోర్టు) సంబంధించిన వి.ఆర్.ఓ. నారాయణగిరి రిపోర్టు, investigation officer report and mandal Girdhavar report ద్రువీకరించి ఇవ్వగలరు.
- MRO గారు తన రిపోర్టు 4 వ పేజీ 2 వ ఫిర్యాలో ROR file దొరికినది, అని దానిలో verify ఫెయగా 8-11-1988 లో సర్వ. న. 367/D మరియు 367/C లలో భుమి కొన్నట్లు ఇన్నదని మరియు 367/ఎ లో కుడా కొంత భుమి ఉన్నదని అట్టి భుమి కలిసినది అని తెలిపినాడు. అట్టి మొత్తం ROR file certify ఫెసి certify copies ద్రువీకరించి ఇవ్వగలరు.
- అట్టి భుమి అమ్ముకమ్ దారులకు ఎలా సంక్రమించినది, వాటి link documents పూర్తి వివరములు certify ఫెసి ద్రువీకరించి ఇవ్వగలరు.
- అదేవిధముగా 367/ఎ లో తొటిరెడ్డి ధర్మారెడ్డి కి భుమి ఎలా సంక్రమించినది అట్టి వివరములు
- MRO గారు తన రిపోర్టులో ROR file verify ఫెయగా 8-11-1988 లో సర్వ. న. 367/D మరియు 367/C లలో భుమి కొన్నట్లు ఉండగా టి.మదవరెడ్డి మరియు తిరుమల్ రెడ్డికి 367/A 367/G ఎలా పట్టాలు ఛెసినాగో వాటి అధారలు, భుమి హద్దులు, ప్రక్కన ఉన్నవారి వివరములు ఇవ్వగలరు.
- MRO గారు తన రిపోర్టు లో ప్రస్తుతం 50 సం. ల నుండి possession ఉన్నరాని ఇచ్చినారు వాటికి సంబంధించిన రెవిన్యూ రెకార్డులు ఇవ్వగలరు, అదేవిధముగా టి.మదవరెడ్డి మరియు తిరుమల్ రెడ్డి యొక్క వయస్సు సుమారు 40సం. లు కాగా 50 సం. లు ఎలా కస్టులో ఉన్నరో తెలుపగలరు.

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 14-12-2018 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 05-07-2021.

On 05-07-2021 the case is called. The appellant is present. The PIO / Naib Tahsildar, Dharmasagar Mandal, Warangal Urban District is present. The First Appellate Authority / O/o. the Revenue Divisional Officer, Warangal Urban Division, Warangal Urban District is absent and authorized Sri D.Sridhar, Naib Tahsildar, O/o. the RDO, Warangal Urban Division to present the case.

The appellant submitted that he did not receive the sought information from the PIO.

The PIO submitted that the appellant was informed on 29-04-2019 vide Ref.No. A/70/2019 that the ROR file No.B/1558/17 and the connected records sought by the appellant are not available in their office.

The appellant contended that the MRO in his report dated 06-10-2018 sent to RDO in the said file, discussed that the ROR file has been traced out and on verification of file, it was noticed that some sales occurred in Sy.No.367/A, C & D and hence he sought the ROR file and the link documents.

Heard both the parties and perused the records.

The Commission is of the view that there is some fishy in the submission of the PIO. He is obviously not furnishing the ROR records deliberately. The submission of the PIO that the ROR file of 2017 is not available is not acceptable to the Commission. The PIO has not taken any action of filing FIR or initiating disciplinary action on the concerned for missing of file. The First Appellate Authority disposed the 1st Appeal on 29-04-2019 accepting the submission made by the PIO that the ROR file is not available. Thus, the First Appellate Authority failed to enforce that the file is traced out by the PIO. He has failed to discharge his legitimate duty as First Appellate Authority entrusted under the RTI Act, 2005.

The Commission directs the PIO to verify the records once again thoroughly and furnish the sought records to the appellant **within (30) days** from the date of receipt of this order and submit compliance.

The case was adjourned to 26-04-2022.

On 26-04-2022 the case is called. The Appellant is absent. The Public Information Officer / Naib Tahsildar, Dharmasagar Mandal, Warangal Urban District is present. The 1st Appellate Authority is absent. The Senior Assistant is present on behalf of the 1st Appellate Authority.

This case was earlier heard on 05-07-2021 and adjourned with a direction to the PIO to verify the records once again thoroughly and furnish the sought records to the appellant within (30) days and submit compliance.

The appellant did not choose to attend the hearing nor filed affidavit offering his version.

The Public Information Officer submitted that the grievance of the appellant was got enquired by the Revenue Inspector on the spot of land and a factual detailed report was furnished to the appellant on 13-09-2021 along with statement recorded by the Mandal Revenue Inspector. The appellant submitted that he did not receive the information dated 13-09-2021. The PIO furnished a copy of the detailed report dated 13-09-2021 to the appellant by hand.

The PIO further submitted that the matter is pending in Honble Lok Ayukta, Telangana State, Hyderabad.

In view of the above, the Appeal is **closed** as factual information is furnished by the PIO.

Dr. Mohd. Ameer
State Information Commissioner

Authenticated by:

Assistant Registrar
Copy to: IT Section/SF