

Telangana State Information Commission

(Under Right to Information Act, 2005)

D.No.5-4-399, Samachara Hakku Bhavan (Old ACB Building),

Mojam-jahi-Market, Hyderabad – 500 001

Phone: 24740666 Fax: 24740592

Appeal No:14856/SIC-MNR/2019

Date: - 27-04-2021

Appellant : Sri Shaik Khaja Hussain, S/o. Shaik Gulam Ahmed, R/o. H.No. 1-60-30/154/135, at T. Anjaiah Nagar, Gachibowli, K.V. Ranga Reddy District.

Respondents : Public Information Officer (U/RTI Act, 2005) O/o the Dy. Commissioner, GHMC., Circle-20, Serilingampally, Ranga Reddy District.

First Appellate Authority (U/RTI Act, 2005) O/o. the Zonal Commissioner, GHMC., Serilingampally, Ranga Reddy District.

Order

Sri Shaik Khaja Hussain has filed second appeal which was received by this Commission on **09-12-2019** for not getting the information sought by him from the Public Information Officer/ O/o the Dy. Commissioner, GHMC., Circle-20, Serilingampally, Ranga Reddy District and First Appellate Authority/ O/o. the Zonal Commissioner, GHMC., Serilingampally, Ranga Reddy 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 **28-03-2019** 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:

I Shaik Khaja Hussain S/o Shaik Gulam Ahmed, the Resident of H No.1-60-30/154/135, at, T, Anjaiah Nagar, Gacchi Bowli, K.V. Ranga Reddy District, Telangana State, Pin No.500084.

- 1.) I respectfully submit that, a public memorandum and I severally of representation have been submitted to the DEPUTY COMMISSIONER, Circle No.20, of GHMC Seri Lingam Pally, At, Gacchi Bowli, Seri Lingam Pally, Hyderabad, Telangana State.
- 2.) Which is submit in the neighboring Property of bearing No.4-46/96, PLOT No.96/HIG, B. Block, APHB, Gacchi Bowli, Serilingampally Hyderabad, Telangana State.
- 3.) The owner of the subject matter Property of bearing No.4-46/96, PLOT No.96/HIG, B. Block, APHB, Gacchi Bowli, is illegal Construction a Building with 5-Five Floors (Without Construction Plan) and is not leaving the Mandatory Setback. Further the Construction is being done, in unsafe and fast manner, so to avoid scrutiny and checks by GHMC.
- 4.) Due to the said illegal construction on the subject matter land, the people in the locality and neighbors are being put to extreme risk.

I am enclosing herein copy of representation, on 22-02-2019.

In this regard, I seek your kind information under the provisions of section 6 of RTI Act, of 2005 Telangana State, as under.

Please furnish me Correct and Complete information what action has been taken in pursuance of representation, on 22-02-2019, from up to till date.

The Public Information Officer through Letter dated 03-05-2019 informed that they have issued the necessary notices and further action will be initiated duly following the due process of law as per GHMC act 1955.

Since the appellant was not satisfied with the reply of the Public Information Officer, he filed 1st appeal dated **07-05-2019** before the 1st Appellate Authority u/s 19(1) of the RTI Act, 2005 requesting him to furnish the information sought by him.

The First Appellate Authority through Notice dated 10-05-2019 directed the Public Information Officer and the appellant to appear for hearing on 20-05-2019 @ 3.00 PM along with related records/ documents.

The First Appellate Authority through Order dated 22-05-2019 stated that the Assistant Public Information Officer information has been sought to the appellant on 03-05-2019 and directed to close the appeal.

Stating that the appellant was not satisfied with the reply of the First Appellate Authority, he preferred this 2nd appeal before this Commission requesting to arrange to furnish the information sought by him u/s 19(3) of the RTI Act, 2005.

In view of the above, the 2nd appeal has been taken on file and Notices issued to both the parties for hearing on **27-04-2021 at 10.30 AM.**

The Case was heard on 27-04-2021. The appellant is present and filed affidavit stating that the PIO has not furnished any kind of information till date. The PIO/ Sri.A.Balraj, Superintendent, GHMC, Circle – 20, Serilingampally Zone is present and stated that a letter Lr.No.RTI/C20/50/2019/83, dated.03-05-2019 was forwarded to the appellant stating that they have issued notices to the concerned parties and action will be initiated duly as per GHMC act 1955. The PIO further submitted a copy of the letter along with the copy of the postal receipt as a proof of dispatch.

Heard both the parties and perused the material papers available on record. The Commission observed that the PIO has not furnished the action taken report to the appellant till the date of hearing.

The Commission took a serious view against the PIO for not furnishing the information to the appellant within the stipulated period of 30 days as per section 7(1) of the RTI Act 2005. The Commission warns the PIO not to repeat such lapses in future and strictly adhere to the provisions of the RTI Act 2005.

The Commission directs the PIO to furnish the action taken report to the appellant within one week through registered post with acknowledgement due and to report compliance to the Commission.

With the above direction, the appeal is closed.

MYDA NARAYAN REDDY
STATE INFORMATION COMMISSIONER

Authenticated by:

Judicial Officer
Copy to: SO / SF / OC