

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

Complaint No:7053/SIC-MNR/2018

Date: 08-06-2021

Complainant : Sri.S.Bhanu Shankar Rao, #1-9-129/1781/A, Ramnagar, Hyderabad.

Respondent : Public Information Officer (U/RTI Act, 2005) Deputy Tahsildar, Ghatkesar Mandal, Medchal – Malkajgiri District.

Order

Sri S. Bhanu Shankar Rao filed a complaint dated **27-04-2018** which was received by this Commission on **28-04-2018** stating that the Public Information Officer/ Deputy Tahsildar, Ghatkesar Mandal, Medchal – Malkajgiri District did not implement the Commission Order in Appeal No. 24240/CIC/2017 dated 27-06-2019.

The complainant stated that he was not satisfied with the reply of the Public Information Officer, he preferred this Complaint before the Commission requesting to arrange to furnish the information sought by him u/s 18(1) of the RTI Act, 2005.

In view of the Covid-19 pandemic, with a request to both the parties to attend for telephonic hearing on **08-06-2021 at 11.00 AM.** The complainant responded and stated that the PIO has not furnished the sought information. The PIO /Sri. Ashwin, Deputy Tahsildar, Ghatkesar Mandal, Medchal Malkajgiri District responded and submitted an Endorsement letter Lr.No.C/RTI/15-86/2021, dated.07-05-2021 stating that the information sought by the complainant is not traceable and inviting the complainant for inspection of records.

Heard both the parties and perused the material papers available on record. The Commission in the earlier case No.24240/CIC/2017, Order dated.27-06-2019 directed the PIO/ O/o.the Tahsildar, Ghatkesar Mandal, Medchal Malkajgiri District to furnish the information within two weeks to the Complainant. The Commission is not satisfied with the reply given by the PIO.

The Commission took a serious view against the PIO/ Deputy Tahsildar, Ghatkesar Mandal, Medchal Malkajgiri District for still giving the same reply. Informing that the files are not traceable does not absolve the PIOs for their responsibility in furnishing information. The PIO should either trace out the files or rebuild the record, it is the responsibility of the Public Authority for disappearance of the file relating to revenue records which are normally permanent records.

In the instant case the complainant is seeking information regarding proceedings of documents through his application dated.01-06-2016 and the Officials cannot escape from their obligations by saying that the records are not traceable.

The reply given by the Public Information Officer in the instant case shows gross negligence on the part of the Revenue Officials and therefore it is desirable that the RDO & the DRO who are the officers responsible for implementing RTI in the District also should ensure that the records are well maintained and to fix responsibility of the missing records.

The Tahsildar, Ghatkesar Mandal, Medchal Malkajgiri District and the Revenue Divisional Officer, Medchal Malkajgiri District is directed to fix the responsibility and take against the concerned Officers for causing disappearance of the records under the Civil Services(Conduct & Classification) Appeals Rules for the missing files.

The Commission directs the PIO to give a specific reply to the complainant within one week from the date of receipt of this order through registered post with acknowledgement due and to report compliance to the Commission. If the PIO fails to comply with the instructions issued, action will be taken against the PIO as per Section 20 of RTI Act, 2005.

With the above direction, the complaint is closed.

MYDA NARAYAN REDDY
STATE INFORMATION COMMISSIONER

Authenticated by:

Section Officer
Copy to: SO / SF / OC