

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:10287/SIC-MNR/2020

Date: - 29-03-2022

Appellant : Sri P. Ganender, H.No. 4-1/8/11, Near
Ayyappa Temple, Dharur Village,
Jagtial Mandal, Jagtial District –
505 455.

Respondents : Public Information Officer
(U/RTI Act, 2005)
O/o the District Educational Officer,
Karimnagar District.

First Appellate Authority
(U/RTI Act, 2005)
The District Educational Officer,
Karimnagar District.

Order

Sri P. Ganender has filed second appeal dated **30-11-2020** which was received by this Commission on **05-12-2020** for not getting the information sought by him from the Public Information Officer/ O/o the District Educational Officer, Karimnagar District and the First Appellate Authority/ the District Educational Officer, Karimnagar 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 **04-08-2020** before the Public Information Officer requesting to furnish the information under Sec. 6(1) of the RTI Act, 2005 on the following points mentioned:

పై విషయముననుసరించి, కరీంనగర్ జిల్లా DSC 2008 లో ఎంపిక చేయబడి తేదీ.19.10.2009న పాఠశాలల్లో విద్యుల్లో చేరి, సుమారు 19నెలలు విద్యులు నిర్వహించిన తర్వాత, నియామకంలో చొరపాట్లు జరిగాయని Additional Joint Collector, Karimnagar and RJD, Warangal గార్ల enquiry report ఆధారంగా ఏప్రిల్ 2011లో revised selection list ప్రకారం 24 మందిని సర్వీస్ నుండి తొలగిస్తూ, 16మందిని (మమ్ములను) Ex-servicemen vacant posts క్రింద సర్దుబాటు చేశారు.

Govt Memo.No.10199/SE-SER-II/A1/2011, dt.07.10.2014 and C&DSE, TS, Hyderabad Proc.Rc.No.515/RC-2/2010, dt.07.10.2014 ప్రకారం సర్వీస్ నుండి తొలగించిన వారిలో 21 మందిని re appoint చేస్తూ ఉత్తర్వులు ఇచ్చారు. తదనుగుణంగా DEO, కరీంనగర్ గారి Proc.Rc.No.10888/E1/2008, dt.23.10.2014 ఉత్తర్వుల ప్రకారం వీరు విద్యుల్లో చేరారు.

అదే విధంగా ఈ ఉపాధ్యాయుల సర్వీసును మొదటి నియామకం తేదీ.19.10.2009 నుండి లెక్కించాలని DEO, కరీంనగర్ గారు Proc.Rc.No.10888/E1/2008, dt.13.11.2014 ద్వారా ఉత్తర్వులు జారీ చేశారు.

Q.No.1) పై విషయం ప్రకారం కరీంనగర్ జిల్లా DSC 2008, అక్టోబర్ 2009లో ని సెలక్షన్ లిస్ట్ సరైనదా? (లేదా) ఏప్రిల్ 2011లోని రివైజ్డ్ సెలక్షన్ లిస్ట్ సరైనదా? తెలుపగలరు?

పై ప్రశ్నకు సమాధానాన్ని నిర్ణీత గడువులో క్రింద తెలిపిన చిరునామాకు పంపించగలరని ప్రార్థించనైనది.

Stating that the appellant did not get any response from the Public Information Officer, he filed 1st appeal dated **16-09-2020** before the First Appellate Authority requesting him to furnish the information sought by him u/s 19(1) of the RTI Act, 2005.

P.T.O

Stating that the appellant did not get any response from 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, notice is issued to both the parties to attend for hearing on **16-02-2022 at 10.30 AM.**

The Case is heard on 16-02-2022. The appellant is absent. The PIO/ O/o. the District Educational Officer, Karimnagar District is also absent.

The Commission perused the material papers available on record the Commission observed that the PIO has failed to furnish the information to the appellant and was absent for hearing even after the receipt of notice from the Commission. The Commission directs to issue **Show Cause Notice** to the PIO for not furnishing the information and also for his/her absence for hearing before the Commission.

The Commission is of the view that the First Appellate Authority is a senior officer to the Public Information Officer and to ensure that the Public Information Officer is discharging his functions properly rests upon him. The very fact that the First Appellate Authority has not responded shows his lethargic attitude and wanton negligence to perform his obligations under RTI Act. Hence the Commission directs the First Appellate Authority to submit his explanation for not taking any action against the public Information Officer in performing his duties as per the provisions of RTI Act.2005.

The Commission also directs the PIO to furnish the information to the appellant within one week from the date of receipt of this order through RPAD and to report compliance to the Commission. The order on **Show Cause Notice** will be dealt separately.

With the above direction, the appeal is adjourned and postponed to **16-03-2022 at 10:30 AM.**

The case was again heard on 16-03-2022. The appellant was absent. The PIO and the FAA O/o the District Educational Office are also absent. Since the PIO & FAA are absent the Case was adjourned to **29-03-2022.**

The case is again heard on 29-03-2022. The FAA/Sri Ch.Janardhan Rao, District Educational Officer, Karimnagar District is present and stated that the information sought by the appellant is pending before the Hon'ble High Court with W.P.No.35375/2013 and vide letter No.1367-1/A4/2022 dated.29-03-2022 they are ready to inform the same to the appellant.

Heard the PIO and perused the material papers available on record. The Commission observed that the PIO has failed to provide any reply to the appellant till date.

The Commission took a serious view against Public Information Officer for not furnishing any reply/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.

Hence the Commission directs the PIO to furnish the reply to the appellant within one week and also furnish the information immediately after the receipt of order from the Hon'ble High Court and to report compliance to the Commission.

With the above direction, the appeal is closed.

MYDA NARAYAN REDDY
STATE INFORMATION COMMISSIONER

Authenticated by:

Section Officer
Copy to: SO / SF / OC