

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:11327/SIC-MNR/2020

Date: - 15-03-2022

Appellant : Sri M. Venu Madhav, R/o. H.No. 1-8-700/30, Padma Colony, Nallakunta, Hyderabad – 500 044.

Respondents : Public Information Officer
(U/RTI Act, 2005)
O/o the HM&FW Department, T.S.
Secretariat, Hyderabad.

First Appellate Authority
(U/RTI Act, 2005)
O/o the HM&FW Department, T.S.
Secretariat, Hyderabad.

Order

Sri M. Venu Madhav has filed second appeal dated **28-12-2020** which was received by this Commission on **29-12-2020** for not getting the information sought by him from the Public Information Officer/ O/o the HM&FW Department, T.S. Secretariat, Hyderabad and the First Appellate Authority/ O/o the HM&FW Department, T.S. Secretariat, Hyderabad.

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 **17-03-2018** before the Public Information Officer requesting to furnish the information under Sec. 6(1) of the RTI Act, 2005 on the following points mentioned:

- What is the action initiated by the Principal Secretary, Health, Medical & Family Welfare, State of Telangana, Secretariat, Hyderabad in pursuance of order dt. 13.07.2017 passed in WP (TR) No. 194 of 2017 by Hon'ble High Court of Judicature at Hyderabad, furnish the detailed report as directed in the above mentioned order.
- Whether the Learned Government Pleader(Medical & health), Superintendent MGM Hospital, Warangal handed over sealed cover to Principal Secretary, Medical, Health & Family welfare as directed in WP (TR) No.194/2017. If handed over the sealed cover, when and on what date, the same was handed over to Principal Secretary.
- Whether any enquiry conducted in respect of selection of process to the post of Sweeper reserved for SC category in MGM Hospital Warangal as directed by the Hon'ble High Court of Judicature in WP (TR) No.194/2017. If conducted, when and on what date the enquiry was conducted, who is the authority conducted enquiry and when and on what date the enquiry was concluded. Furnish a copy of the said enquiry report as directed by the High Court in WP (TR) No.194/2017. Whether such enquiry report was filed in High Court of Judicature, if filed furnish the date and if not filed, furnish the reasons for not filing and who are the authorities responsible for not conducting enquiry and not filing enquiry report before High Court prior to 10.08.2017 as directed.

The Public Information Officer through Letter dated 24-04-2018 informed that, the requested information is not comes under RTI Act, 2005 as per 2(f) of RTI Act, 2005.

Stating that the appellant was not satisfied with the reply of the Public Information Officer, he filed 1st appeal dated **05-05-2018** before the First Appellate Authority requesting him to furnish the information sought by him u/s 19(1) of the RTI Act, 2005.

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 **15-03-2022 at 10.30 AM.**

The Case is heard on 15-03-2022. The appellant is absent. The APIO/Sri M.Surender Reddy, Assistant Secretary to Government, Health Medical & Family Welfare Department, TS Secretariat, Hyderabad is present and stated that the information sought by the appellant does not come under section 2(f) of RTI Act however vide letter No.2744/VC.2/2018-2, dated.22-05-2018 the available information was furnished to the appellant. The PIO also filed a copy of the information but failed to provide the copy of the postal acknowledgement.

Heard the APIO and perused the material papers available on record. The Commission observed that though the APIO has agreed that the information was furnished to the appellant but failed to provide the copy of the proof of dispatch.

Hence the Commission directs the PIO to furnish the information once again to the appellant through RPAD 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