

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:12000/SIC-MNR/2021

Date: - 08-03-2022

Appellant : Sri J. Bhaskara Rao, H.No. 11-6-228/103, N.S.R. Residency, Pochammabagh, Road No. 1, Saroornagar, Hyderabad – 500 035.

Respondents : Public Information Officer (U/RTI Act, 2005) O/o the NIMS., Hyderabad.
First Appellate Authority (U/RTI Act, 2005) O/o the NIMS., Hyderabad.

Order

Sri J. Bhaskara Rao has filed second appeal dated **18-09-2021** which was received by this Commission on **22-09-2021** for not getting the information sought by him from the Public Information Officer/ O/o the NIMS., Hyderabad and the First Appellate Authority/ O/o the NIMS., 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 **30-03-2021** before the Public Information Officer requesting to furnish the information under Sec. 6(1) of the RTI Act, 2005 on the following points mentioned:

As subject cited above, I, J. Bhaskara Rao, a permanent resident of H.No.11-6-228/103, N.S.R.Residency, Pochammabagh Road No.1, Saroor Nagar, Hyderabad-500 035, Telangana State and being a senior citizen of India and the rights conferred in the Right to Information Act, 2005 to the citizens. I hereby request you to kindly provide me the following information under section 2 sub-rule (j)(i) of the said Act.

Information sought:- *A certified copies of note file; correspondence and remarks by the authorities etc., in Toto on my letter No. JBR/NIMS/2020/01, dated 21st December, 2020-addressed to the Hon'ble Director, NIMS, submitted on 23rd December, 2020 regarding "allow the notional increment, release the revised pension and to pay back the recovered amount".*

Stating that the appellant did not get any response from the Public Information Officer, he filed 1st appeal dated **30-06-2021** 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 **08-03-2022 at 10.30 AM.**

The Case is heard on 08-03-2022. The appellant is present and stated that the PIO has not furnished the information. The PIO/ Sri P.Raj Kumar, Dy.Registrar, O/o the NIMS, Hyderabad is present and stated that vide letter Rc.No.RTI/PIO/2021, dated.03-03-2022 the appellant was informed that no action has been taken against his 6(1) application since the Writ Petition is pending before the court of law, hence they were unable to provide the information.

Heard both the parties and perused the material papers available on record. The Commission observed that though the information sought by the appellant is pending before the court of law, but the PIO has failed to provide any proof of acknowledgement.

The Commission took a serious view against Public Information Officer for not furnishing the information/reply 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 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