

# 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:14913/SIC-MNR/2021**

**Date: - 09-02-2022**

Appellant : Sri G. Yellappa, S/o. Ananthaiah, Gorepalle Village, Yelal Mandal, Vikarabad District – 501 144.

Respondents : Public Information Officer (U/RTI Act, 2005) the Revenue Divisional Officer, Vikarabad Division, Vikarabad District.

First Appellate Authority (U/RTI Act, 2005) the District Revenue Officer, Vikarabad District.

**Order**

G. Yellappa has filed second appeal dated **16-11-2021** which was received by this Commission on **16-11-2021** for not getting the information sought by him from the Public Information Officer/ the Revenue Divisional Officer, Vikarabad Division, Vikarabad District and the First Appellate Authority/ the District Revenue Officer, Vikarabad 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 **18-06-2021** before the Public Information Officer requesting to furnish the information under Sec. 6(1) of the RTI Act, 2005 on the following points mentioned:

పేరాల్లో పేర్కొన్న అంశాలకు సంబంధించిన సమాచారం అందజేయటం కోసం రిజిస్ట్రేషన్ నంబర్: C/2537/89 - డి. 18-01-1990 అండ్ కచ్చి కువమల్ నాడు, ముఖ్యమంత్రి కార్యాలయం, హైదరాబాద్ నాడు | సభ్యులైన అంశాలకు సంబంధించిన సమాచారం అందజేయటం కోసం రిజిస్ట్రేషన్ నంబర్: C/2537/89 - డి. 18-01-1990 అండ్ కచ్చి కువమల్ నాడు - ముఖ్యమంత్రి కార్యాలయం, హైదరాబాద్ నాడు. పేరాల్లో పేర్కొన్న అంశాలకు సంబంధించిన సమాచారం అందజేయటం కోసం రిజిస్ట్రేషన్ నంబర్: C/2537/89 - డి. 18-01-1990 అండ్ కచ్చి కువమల్ నాడు. పేరాల్లో పేర్కొన్న అంశాలకు సంబంధించిన సమాచారం అందజేయటం కోసం రిజిస్ట్రేషన్ నంబర్: C/2537/89 - డి. 18-01-1990 అండ్ కచ్చి కువమల్ నాడు. పేరాల్లో పేర్కొన్న అంశాలకు సంబంధించిన సమాచారం అందజేయటం కోసం రిజిస్ట్రేషన్ నంబర్: C/2537/89 - డి. 18-01-1990 అండ్ కచ్చి కువమల్ నాడు.

Stating that the appellant did not get any response from the Public Information Officer, he filed 1<sup>st</sup> appeal dated **13-09-2021** 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 2<sup>nd</sup> appeal before this Commission requesting to arrange to furnish the information sought by him u/s 19(3) of the RTI Act, 2005.

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In view of the above, notice is issued to both the parties to attend for hearing on **09-02-2022 at 10.30 AM.**

The Case is heard on 09-02-2022. The appellant is absent. The PIO/ Sri G.Amarendra Krishna, Divisional Administrative Officer, Vikarabad is present and stated that vide letter dated.12-11-2021 the appellant was informed that the information sought by him is not available in their office. The PIO further submitted a copy of the letter along with the copy of the postal receipt as a proof of dispatch.

Heard the PIO and perused the material papers available on record. The Commission observed that the Public Information Officer cannot deny the right of the appellant. The defense of missing file cannot be accepted even under the RTI Act. If the file is really not traceable, it reflects the inefficient and pathetic management of files by the Public Authority. If the file could not be traced inspite of best efforts, it is the duty of the respondent authority to reconstruct the file or develop a mechanism to address the issue raised by the appellant

Hence the Commission directs the First Appellate Authority/District Revenue Officer, Vikarabad to keep track of case in furnishing information as per the provision of RTI Act. The District Revenue Officer should not accept casual routine replies by the Public Information Officer stating that the information is not available. He as the First Appellate Authority should assert his authority in public interest and in implementation of the RTI Act without fail. Hence the Commission directs the FAA and PIO to trace out the record and furnish the sought information within one week through RPAD from the date of receipt of this order and submit compliance report to this Commission.

With the above direction, the appeal is closed.

**MYDA NARAYAN REDDY**  
**STATE INFORMATION COMMISSIONER**

**Authenticated by:**

**Section Officer**  
**Copy to: SO / SF / OC**