

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:8237/SIC-MNR/2021

Date: - 29-03-2022

Appellant : Sri B. Vamshi Krishna, H.No. 4-48/A,
Vattemla Village, Vemulawada Rural
Mandal, Rajanna – Sircilla District –
505 524.

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 B. Vamshi Krishna has filed second appeal dated **06-07-2021** which was received by this Commission on **09-07-2021** 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 **11-01-2021** before the Public Information Officer requesting to furnish the information under Sec. 6(1) of the RTI Act, 2005 on the following points mentioned:

- 1) వారత ప్రభుత్వ విద్యా హక్కు చట్టం (RTE Act), 2009 - సెక్షన్ 12(1)(c) & 14(4)(f) ఎప్పుడు అమలు లోకి వచ్చాయి ?
- 2) ఈ జిల్లాకి RTE (Right To Education) Act, 2009 - సెక్షన్ 12(1)(c) & 14(4)(f) వర్తిస్తాయా ?
- 3) RTE Act సెక్షన్ 12(1)(c) & 14(4)(f) GO (Government Order) కాపీలు ఇవ్వగలరు.
- 4) RTE Act, 2009 - 12(1)(c) & 14(4)(f) ప్రకారం.. జిల్లాలోని ప్రైవేట్ పాఠశాలలు పాలించవలసిన నియమాలు ఏంటి ?
- 5) RTE Act, 2009 - 12(1)(c) & 14(4)(f) ప్రకారం.. జిల్లాలోని ఎన్ని ప్రైవేట్ పాఠశాలలు నియమాలు పాటిస్తున్నాయి ?
- 6) జిల్లాలో మండలాలు మరియు గ్రామాల వారిగా అనుమతి పొందిన ప్రైవేట్ పాఠశాలలు ఎన్ని ? వాటి పేర్లు మరియు చిరునామా తో సహా వివరాలు అందించగలరు. ఈ వివరాలతో సహా, ఏయే పాఠశాలలు RTE Act 2009 - సెక్షన్ 12(1)(c) & 14(4)(f) పాటిస్తున్నాయో తెలియజేయగలరు.
- 7) ప్రైవేట్ పాఠశాలలు RTE Act ఉల్లంఘన చేస్తే మండల స్థాయిలో చర్యలు తీసుకునే బాధ్యత ఎవరిది ?
- 9) RTE Act ఉల్లంఘన జరిగిన కూడా చర్యలు తీసుకోకుండా వున్న మండల మరియు జిల్లా ఎన్ని కలు స్థాయి అధికారి పై ఎటువంటి చర్యలు తీసుకుంటారు ?
- 9) RTE Act ఉల్లంఘన జరిగిన కూడా చర్యలు తీసుకోకుండా వున్న మండల మరియు జిల్లా స్థాయి అధికారి పై ఎటువంటి చర్యలు తీసుకుంటారు ?
- 10) RTE Act సెక్షన్ 12(1)(c) ప్రకారం ఎందరు మరియు ఎంత శాతం పేద విద్యార్థులకు ప్రైవేట్ పాఠశాలల్లో ఉచిత విద్యను అందిస్తున్నారు ? ప్రైవేట్ పాఠశాలల వారిగా, మండలాల వారిగా జాబితా ఇవ్వగలరు

P.T.O

Stating that the appellant did not get any response from the Public Information Officer, he filed 1st appeal dated **16-03-2021** 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 **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. Smt.L.Lalitha, Superintendent, O/o the District Educational Officer was present. 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 appellant is seeking information relating to all the Mandal Educational Offices in the karimnagar District and vide letter No.83/A4/2021, dated. 02-2021 the 6(1) application was transferred to all the MEO's of the Karimnagar District.

Heard the PIO and perused the material papers available on record. The Commission observed that the appellant is seeking information relating to all the Mandal Educational Officers of the District.

Keeping in view of the Office Memorandum No.10/2/2008-IR, Government of India, Ministry of Personnel, Public Grievances & Pension, Department of Personnel & Training, New Delhi dated.12th June, 2008, the PIO ought to have furnished the held information to the appellant and transferred the 6(1) application only to a single Public Information Officer and advised the appellant to file separate 6(1) application before the concerned MEO's, but failed to do so. Hence the Commission warns the PIO not to repeat the same in the future. The order on **Show Cause Notice** will be dealt separately.

The Commission also advises the appellant to file separate 6(1) application before the concerned PIO/MEO and seek information.

In view of the above, the appeal is closed.

MYDA NARAYAN REDDY
STATE INFORMATION COMMISSIONER

Authenticated by:

Section Officer
Copy to: SO / SF / OC