

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:9306/SIC-MNR/2021

Date: - 29-03-2022

Appellant : Ms. G. Madhavi, H.No. 1-9-157/1,
Metpally Post & Mandal, Jagtial
District – 505 325.

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

Ms. G. Madhavi has filed second appeal which was received by this Commission on **04-08-2021** 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 **18-03-2020** before the Public Information Officer requesting to furnish the information under Sec. 6(1) of the RTI Act, 2005 on the following points mentioned:

Second application for implementation of same rules in counselling conducted for TSSAR-2018 Exam - qualified candidates

- ① Sir please provide the status of application submitted by me on 25-2-2020
- ② Sir if you have taken any decision on my application - please provide those information copies of your decision
- ③ Sir if you have not taken any decision please provide how many days it took to take a decision
- ④ Sir if you reject my appeal please provide information copies - such as Service rules with section no, page no based on which you rejected my two appeals in two application forms.
- ⑤ If any point (or) part of the point of my application does not come under the RTI act, then please mention the - Section of RTI act and provide that information copy also
- ⑥ please provide the photo copy/xerox of inward register form 13-9-2019 to 22-10-2019 Deind

The Public Information Officer through Lr. No. 847/RTI/SS/2020 and Lr.No. 846/RTI/SS/2020 dated 09-06-2020 furnished available information to the appellant.

Stating that the appellant was not satisfied with the reply of the Public Information Officer, she filed 1st appeal dated **10-07-2020** before the First Appellate Authority requesting him to furnish the information sought by her 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, she preferred this 2nd appeal before this Commission requesting to arrange to furnish the information sought by her 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. Sri V.Gnaneshwar, representative of the appellant is present and stated that the PIO has not furnished the information. The PIO/ O/o. the District Educational Officer, Karimnagar District is absent.

Heard the appellant and 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 vide letter No.1298/RTI/N.N/2020, dated.15-09-2020 the appellant was called for verification of records but the appellant did not approach their office, hence they were unable to furnish the information to the appellant.

Heard the PIO and perused the material papers available on record. The Commission observed that the PIO has called the appellant for verification of records but the appellant failed to respond.

Hence the Commission directs the PIO to once again call the appellant for verification of records as per Section 2(j) of RTI Act by issuing a prior intimation to the appellant and furnish the remaining information within two weeks 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