

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 – 500001.
Phone: 24740155 Fax: 247405928

Complaint No: 10005/SIC-SK/2019

Date: 05-02-2021

Complainant : Sri. Narsimulu,
Mahaboobnagar District.

Respondent : Public Information Officer
(U/RTI Act, 2005)
O/o the Tahsildar,
Kothur Mandal,
Ranga Reddy District.

Order

Sri. Narsimulu, Mahaboobnagar District has filed a Complaint dated: 27-08-2019 which was received by this Commission on 28-08-2019 for not complying the Commission order in complaint No: 4392/CIC-(peshi-2)/2018 dated: 10-07-2019 and for not getting the information sought by him through his 6(1) application dated: 01-02-2018 from the Public Information Officer/ O/o the Tahsildar, Kothur Mandal, Ranga Reddy District.

In view of the above, the Complaint may be taken on file and Notices issued to both the parties for hearing on 05-02-2021 at 10.30 A.M.

The case is called on 05-02-2021. The complainant is present and stated that the PIO has not furnished the information. The PIO / Sri. G. Venkatram Reddy, Deputy Tahsildar, Kothur Mandal, Ranga Reddy District is present and stated that the information sought is available with the PIO / O/o the Tahsildar, Nandigama Mandal. Hence transferred the application vide letter No: B/884/2019 dated: - 06-07-2019. The PIO filed copy of the letter before the Commission.

The PIO / Sri. B. Anand Singh, Deputy Tahsildar, Nandigama Mandal, Ranga Reddy District is present and stated that they have verified the office records and the file bearing No: B/215/2003 is readily not traceable and the same could not be furnished.

Heard both the parties and perused the material papers available on record and observed that neither of the PIOs have furnished the information to the complainant. The replies of the PIOs are not in accordance to the provisions of the RTI Act 2005.

The Commission took a serious view against the PIO / Deputy Tahsildar, Kothur Mandal Ranga Reddy District and the PIO / Deputy Tahsildar, Nandigama Mandal, Ranga Reddy District for still giving the same reply. Informing that the files are not available does not absolve the PIOs for their responsibility in furnishing information. The PIOs should either trace out the files or rebuild the records, it is the responsibility of the Public Authority for disappearance of the file relating to lands which are normally permanent records.

The Public Authority should ensure the existing department instructions regarding handing over and taking over files of the office to the incoming officers while signing CTC. Thus the Public Information Officer should possess the list of permanent records / files handed over to him during the taking over charge of the office.

In the instant case the appellant is seeking information regarding the file bearing No: B/215/2003 dated: 23-09-2003 pertaining to Chegur Village of Erast while Kothur Mandal and the Revenue Officials cannot escape from their obligations by saying that the records are not traceable.

The revenue records are important documents and they are supposed to be retained over longer periods. Keeping in mind the interest of the people, they are also supposed to properly index and take utmost care for their retention. In case of destruction of the records, the Public Information Officer should be able to furnish particulars of destruction i.e. year of destruction with proof. The Public Information Officer should also indicate the retention period of the above referred permanent files.

The reply given by the Public Information Officer in the instant case goes to show gross negligence on the part of Revenue Officials and therefore it is desirable, that the RDO & the DRO who are the officers responsible for implementing RTI in the district also should ensure that records are well maintained and also to fix responsibility for missing records.

The Revenue Divisional Officer, Ranga Reddy District is directed to fix the responsibility and take action against the concerned Officers for causing disappearance of the records under the Civil Services (Conduct & Classification) Appeals Rules for the missing files.

The Commission took a serious view against the PIO / Deputy Tahsildar, Kothur Mandal, Ranga Reddy District and the PIO / Deputy Tahsildar, Nandigama Mandal, Ranga Reddy District and directs to issue **Show Cause Notice** for not furnishing the information as sought through his 6(1) application dated: 01-02-2018. The action on the **Show Cause Notice** will be dealt separately.

With the above direction, the appeal is closed.

SYED KHALEELULLAH
STATE INFORMATION COMMISSIONER

Authenticated by:

Section Officer

Copy to: SO / SF / OC

Copy to: O/o the District Collector, Lakdikapul, Ranga Reddy District.
The Revenue Divisional Officer, Kothur & Nandigama Mandal,
Shadnagar Division, Ranga Reddy District.