

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: 24740592

Appeal No: 1827/SIC-SK/2020

Date: - 30-07-2021

Appellant : Sri K. Sampath Kumar, Hyderabad.

Respondents : Public Information Officer
(U/RTI Act, 2005)
O/o the Deputy Commissioner,
Circle.9, GHMC, Charminar Zone,
Hyderabad.

First Appellate Authority
(U/RTI Act, 2005)
O/o the Zonal Commissioner, GHMC,
Charminar, South Zone, Hyderabad.

Order

Sri. K. Sampath Kumar, Hyderabad has filed 2nd appeal dated: 10-02-2020 which was received by this Commission on 10-02-2020 for not getting the information sought by him from the PIO / O/o the Deputy Commissioner, Circle.9, GHMC, Charminar Zone, Hyderabad and 1st Appellate Authority / O/o the Zonal Commissioner, GHMC, Charminar, South Zone, 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: 04-01-2020 before the PIO requesting to furnish the information under Sec. 6(1) of the RTI Act, 2005, on the following points mentioned in his application:

Adverting to the subject cited, I am the neighbour of H.No.23-5-522, under GHMC Circle No.9, Charminar Zone, Hyderabad. As such I am compelled to bring it to your notice that, on 02-01-2020 your subordinate officers [one male and another female] have visited the site where multiple constructions are in progress on a single House bearing No.23-5-522, causing lot of disturbances to us.

In view of the above situation, I request you to provide me all 'certified copies' of the following documents under RTI Act, 2005 in respect of each/individual construction to protect my interest and I have every right to agitate against all such multiple constructions, being the neighbour of above properties:

- i. Total No. of application forms together with its enclosures received in your office for according sanction or permission by the Town Planning Section concerned for raising the above multiple structures in a single House bearing No.23-5-522.
- ii. Details of payments made to GHMC towards permission/sanction plans accorded to the above raised multiple constructions
- iii. Permissions and sanction plans accorded by the Town Planning Section, Circle No.9, as of now.
- iv. Name, designation and official mobile/contact nos. of the GHMC officers who visited the above site(s) on the above said date.
- v. Ground/field inspection report(s) submitted to the superior authorities of GHMC officers by the above two inspecting officials.

Stating that the appellant did not receive the information from the PIO, the appellant filed 1st appeal dated: 03-02-2020 before the 1st Appellate Authority requesting him to furnish the information sought by him u/s 19(1) of the RTI Act.

Stating that the appellant did not get the information from the PIO / 1st Appellate Authority even after 30 days of filing his 1st appeal, he preferred this 2nd appeal before this Commission requesting to take action against the PIO and 1st Appellate Authority for not furnishing information sought by him and also to arrange to furnish the information sought by him u/s 19(3) of the RTI Act, 2005.

In view of the above, the 2nd appeal may be taken on file and Notices issued to both the parties for hearing on 30-07-2021 at 11.00 A.M.

In view of the Covid -19 Pandemic, the cases are heard over phone on 30-07-2021 with prior intimation to the concerned parties. The appellant responded and filed his affidavit stating the PIO has not furnished the information. The PIO / Sri. Faheem, Assistant City Planner, O/o the Deputy Commissioner, Circle – 9, Charminar, GHMC, Hyderabad responded and requested to give time to furnish the information.

Heard both the parties and perused the material papers available on record and observed that the appellant filed 6(1) application dated: 04-01-2020 seeking information on 7 points. The PIO ought to have furnished the available information keeping in view of Section 8, 9, 10 & 11 of RTI Act 2005.

The Commission took a serious view and directs to issue **Show Cause Notice** to the present PIO & the then PIO / O/o the Deputy Municipal Commissioner, Circle – 9, Charminar, GHMC, Hyderabad for not furnishing the information to the appellant within the stipulated period of 30 days as per Section 7(1) of the RTI Act 2005. The action on the **Show Cause Notice** will be dealt separately.

The Commission directs the PIO to give a specific reply and furnish the available information (keeping in view of Section 8, 9, 10 & 11 of RTI Act 2005) to the appellant within Two (2) weeks from the date of receipt of this order through Registered post with acknowledgement due and to report compliance to the Commission.

With the above direction, the appeal is closed.

SYED KHALEELULLAH
STATE INFORMATION COMMISSIONER

Authenticated by:

Section Officer
Copy to: SO / SF / OC