

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: 3215/SIC-SK/2020

Date: - 23-07-2021

Appellant : Sri D. Nagesh, Nizamabad District.

Respondents : Public Information Officer
(U/RTI Act, 2005)
O/o the District Collector,
Nizamabad District.

First Appellate Authority
(U/RTI Act, 2005)
O/o the District Collector,
Nizamabad District.

Order

Sri D. Nagesh, Nizamabad District has filed 2nd appeal dated: 07-03-2020 which was received by this Commission on 11-03-2020 for not getting the information sought by him from the PIO / O/o the District Collector, Nizamabad District and 1st Appellate Authority / O/o the Municipal Commissioner, Nizamabad Municipal Corporation, Nizamabad 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: 25-11-2019 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:

1. నీజోమా జాకు అర్జున్ MLA క్షాంపు కార్యాలయంగా TRS పార్టీ ప్రచార కథలు ఏ ప్రభుత్వ నిబంధనల ప్రకారం నిలిపి ఉంచారో తెలిపు సమాచారం ఇవ్వగలరు.
2. నీజోమా జాకు అర్జున్ MLA క్షాంపు కార్యాలయంగా MLA/TRS ప్రచార వాహనాల అంచనీడర్ కాకు మరియు ప్రచార కథం ఎన్నో రోజుల వరకు నిలిపి ఉంచుతారో తెలిపు ప్రభుత్వ నిబంధనల సమాచారం ఇవ్వగలరు.
3. నీజోమా జాకు అర్జున్ MLA క్షాంపు కార్యాలయం ప్రభుత్వ కార్యాలయమే కాదా పార్టీ కార్యాలయమే నిర్ధారించు సమాచారం ఇవ్వగలరు.
4. నీజోమా జాకు అర్జున్ MLA క్షాంపు కార్యాలయంగా TRS పార్టీ ప్రచార వాహనాలను నిలిపితో అంతుకు ఎన్నికల కమిషన్ నిబంధనల ఏమి చెబుతారో తెలిపి తెలుసుకు రుసుము రూ.....10/-..... ఇండియన్ పోస్టులు అర్జున్/ క్షాంపు కార్యాలయం/ ప్రచార వాహనం/

The Public Information Officer O/o the District Collector, Nizamabad District vide Lr. No. NMC/G1/TMS/1284/2020 dated 13-02-2020 transferred the application U/s 6(3) of the RTI Act to the O/o the Tahsildar, Nizamabad South Mandal, Nizamabad District with a request to furnish the information to the appellant.

Stating that the appellant did not receive the information from the PIO, the appellant filed 1st appeal dated: 13-01-2020 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 23-07-2021 at 11.00 A.M.

In view of the Covid -19 Pandemic, the cases are heard over phone on 23-07-2021 with prior intimation to the concerned parties. The appellant responded and stated that the PIO has not furnished the information. The PIO / Sri. V. Anil, Deputy Tahsildar, Nizambad South Mandal, Nizambad District did not respond but filed his affidavit stating that a reply was given to the appellant vide letter No: A3/1190/2021 dated: 22-07-2021 and filed a copy of the same before the Commission.

Heard both the parties and perused the material papers available on record and observed that the appellant filed 6(1) application dated: 25-11-2019 seeking information on 4 points.

The Commission took a serious view and directs to issue **Show Cause Notice** to the present PIO & the then PIO / Deputy Tahsildar, Nizambad South Mandal, Nizambad District 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 to the appellant within One (1) week 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