

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: 4870/SIC-SK/2020

Date: - 01-07-2021

Appellant : Sri. Mohd Ashraf, Kumarambheem
Asifabad District.

Respondents : Public Information Officer
(U/RTI Act, 2005)
O/o the Tahsildar, Kerameri Mandal,
Kumarambheem Asifabad District.

First Appellate Authority
(U/RTI Act, 2005)
O/o the Revenue Divisional Officer,
Asifabad Division, Kumarambheem
Asifabad District.

Order

Sri. Mohd Ashraf, Kumarambheem Asifabad District has filed 2nd appeal dated: 28-05-2020 which was received by this Commission on 10-06-2020 for not getting the information sought by him from the PIO / O/o the Tahsildar, Kerameri Mandal, Kumarambheem Asifabad District and 1st Appellate Authority / O/o the Revenue Divisional Officer, Asifabad Division, Kumarambheem Asifabad 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: 29-01-2020 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:

1. IRRIGATION & CAD DEPT ,EXECUTIVE ENGINEER గారు . మీ కార్యాలయము లో 18-06-2018,27-07-2019 & 13-12-2019 రోజున UPDATE IN ONLINE SHIKAM LANDS పై సమర్పించిన ప్రాతినిధ్యం పై మీరు చేపట్టిన చర్యల ప్రతికూల మరియు గ్రామపంచాయతీ వారిగా చట్టం ఎచ్చినప్పటి నుండి నేటి వరకు పూర్తి పైల్ లతో పాటు ఇవ్వగలరు.
2. Assigned Lands (Prohibition Of Transfers) Act 1977 ప్రకారం మీ పరిధిలో జరిగిన (POT) ల వివరాలను ఆహ్వాన మరియు గ్రామపంచాయతీ వారిగా చట్టం ఎచ్చినప్పటి నుండి నేటి వరకు పూర్తి పైల్ లతో పాటు ఇవ్వగలరు.
3. Assigned Lands (Prohibition Of Transfers) Act 1977 ప్రకారం మీ పరిధిలో జరిగిన (POT) లలో సెక్షన్ 6 కి వ్యతిరేకంగా జరగలేదని తెలిపే డెక్లరేషన్ మరియు గ్రామ పంచాయతీ వారిగా చట్టం ఎచ్చినప్పటి నుండి నేటి వరకు పూర్తి పైల్ లతో పాటు ఇవ్వగలరు.
4. Assigned Lands (Prohibition Of Transfers) Act 1977 ప్రకారం మీ పరిధిలో జరిగిన (POT) లను దయచేసికి జిల్లా కలెక్టర్ ఇచ్చిన No Objection Certificate లను గ్రామ పంచాయతీ వారిగా చట్టం ఎచ్చినప్పటి నుండి నేటి వరకు పూర్తి పైల్ లతో పాటు ఇవ్వగలరు.
5. Assigned Lands (Prohibition Of Transfers) Act 1977 ప్రకారం మీ పరిధిలో జరిగిన (POT) లతో పాటు G.O.M.S No. 520 (Revenue Department) తేది: 10.11.1995 ప్రకారం తీసుకున్న అనుమతులు మరియు చేపట్టిన చర్యల వివరాలను గ్రామ పంచాయతీ వారిగా చట్టం ఎచ్చినప్పటి నుండి నేటి వరకు పూర్తి పైల్ లతో పాటు ఇవ్వగలరు.

And more few points.

Stating that the appellant did not receive the information from the PIO, the appellant filed 1st appeal dated: 27-02-2020 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 01-07-2021 at 11.00 A.M.

In view of the Covid -19 Pandemic, the cases are heard over phone on 01-07-2021 with prior intimation to the concerned parties. The appellant responded and stated that the PIO has not furnished the information. The PIO / Sri. Bhujanga Rao, Deputy Tahsildar, Kerameri Mandal, Komaram Bheem Asifabad District responded and stated tha the information was furnished to the appellant vide letter No: B/124/2021 dated: 30-06-2021, but failed to submit the postal receipt before the Commission.

Heard both the parties and perused the material papers available on record and observed that the filed 6(1) application dated: 29-01-2020 seeking information on 15 points.

The Commission took a serious view and directs to issue **Show Cause Notice** to the present PIO & the then PIO / Deputy Tahsildar, Kerameri Mandal, Komaram Bheem Asifabad 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 furnish the complete information once again to the appellant within One (1) week from the date of receipt of this order through Registered post 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