

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: 5492/SIC-SK/2020

Date: - 23-07-2021

Appellant : Sri K. Ram Mohan Rao,
Nizamabad District.

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

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

Order

Sri. K. Ram Mohan Rao, Nizamabad District has filed 2nd appeal dated: 25-06-2020 which was received by this Commission on 04-07-2020 for not getting the information sought by him from the PIO / O/o the Municipal Commissioner, Nizamabad Municipal Corporation, 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:

- a. Number of permissions accorded since January, 2017, division wise
- b. Number of unauthorized and illegal constructions identified division wise since January, 2017 along with details of such structures.
- c. Number of unauthorized structures demolished, prosecuted since January, 2017 along with details of such structures..
- d. Number of un-authorized constructions identified on main roads, viz., from a) NTR Statue to Arsapally via Bodhan Road and Rashtra Pathi road, b) from NTR Statue to Varni X Roads via Hyderabad road and Raja Rajendra Chowrastha, c) from Raja Rajendra Chowrastha to Gandhi Chowk, d) from NTR statue to Mubaraknagar, since January, 2017 .
- e. Any structures being constructed even effected in the proposed road widening such as a) NTR Statue to Arsapally via Bodhan Road and Rashtra Pathi road, b) from NTR Statue to Varni X Roads via Hyderabad road and Raja Rajendra Chowrastha, c) from Raja Rajendra Chowrastha to Gandhi Chowk, d) from NTR statue to Mubaraknagar, since January, 2017 .

The Public Information Officer vide Lr. No. TP/PIO/TMS/5925/2019 dated. 29-11-2019 furnished the information to the appellant.

Aggrieved with the reply from the PIO, the appellant filed 1st appeal dated: 08-02-2020 before the 1st Appellate Authority requesting him to furnish the information sought by him u/s 19(1) of the RTI Act, 2005.

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 Karunakar, Town Planning Officer, O/o the Municipal Commissioner, Nizambad Municipality, Nizambad District responded and stated that a reply was given to the appellant vide letter No: TP/PIO/TMS/5925/2019 dated: 29-11-2019.

Heard both the parties and perused the material papers available on record and observed that the appellant through his 6(1) application dated: 25-11-2019 seeking information on 5 points and the PIO stated that they are not having the consolidated report of the information.

The Commission directs the PIO to furnish the available & permissible 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

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