

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: 5770/SIC-SK/2020

Date: - 26-08-2021

Appellant : Sri Shaik Maula, Komarambheem Asifabad District.

Respondents : Public Information Officer (U/RTI Act, 2005) O/o the Head Master, Urdu Medium, Upper Primary School, Jainoor Mandal, Komarambheem Asifabad District.

First Appellate Authority (U/RTI Act, 2005) O/o the District Educational Officer, Komarambheem Asifabad District.

Order

Sri Shaik Maula, Komarambheem Asifabad District has filed 2nd appeal dated: 02-12-2019 which was received by this Commission on 02-03-2020 for not getting the information sought by him from the PIO / O/o the Head Master, Urdu Medium, Upper Primary School, Jainoor Mandal, Komarambheem Asifabad District and 1st Appellate Authority / O/o the District Educational Officer, Komarambheem 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: 02-12-2019 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. జైనుర్ ప్రభుత్వ ఉర్దూ పాఠశాల (ఎంపీయూపిఎస్) లో విద్యసంవత్సరం 2008-2009 నుండి విద్యసంవత్సరం 2019-20 వరకు ఆయా పనులు (అభివృద్ధి) కోసం మంజూరు అయినా నిధులు, టీవర్ఎం, మెంటీనెన్సు గ్రాండ్, ఎస్ఎంసీ కమిటీకి మంజూరు అయినా మొత్త నిధులు ఎంతా, వాటి వినియోగం ఏ పనుల నిమిత్తం ఎక్కడెక్కడ జరిగిందో వాటి వివరాలు రిసిప్టు జిరాక్సుల సహా
2. జైనుర్ ప్రభుత్వ ఉర్దూ పాఠశాల (ఎంపీయూపిఎస్) లో విద్యసంవత్సరం 2008 నుండి 2019-20 వరకు పాఠశాలలో జరిగిన ఎస్ఎంసీ కమిటీ ఎన్నికల తిర్మాణాలతో పాటు ఏయే అంశాలపై పోషకుల సమావేశం నిర్వహించారు వాటి తిర్మాణాల జిరాక్స్ కాపీలు.
3. జైనుర్ ప్రభుత్వ ఉర్దూ పాఠశాల (ఎంపీయూపిఎస్) లో విద్యసంవత్సరం 2018-19, మరియు విద్యసంవత్సరం 2019-20లలో 7వ, 8వ తరగతి విద్యార్థుల హాజరు పట్టిక జిరాక్స్ కాపీలు.
4. జైనుర్ ప్రభుత్వ ఉర్దూ పాఠశాల (ఎంపీయూపిఎస్) లో విద్యసంవత్సరం 2019-20లో ఎంత మంది విద్యార్థులకు మద్యహాల్ జనం అందించారో వాటి వివరాలు.
5. జైనుర్ ప్రభుత్వ ఉర్దూ పాఠశాల (ఎంపీయూపిఎస్)లో విద్యసంవత్సరం 2019-20లో ఎంత మంది ఉపాధ్యాయులు ఉన్నారు వాటి హాజరు పట్టిక జిరాక్స్ కాపీలు, మరియు బయోమెట్రిక్ హాజరు వివరాలు
6. జైనుర్ ప్రభుత్వ ఉర్దూ పాఠశాలలో విద్యసంవత్సరం 2008 నుంచి 2019-20 వరకు పాఠశాల ఖాత. లాపాదేవి వివరాలు, బ్యాంక్ స్టేట్మెంట్ సహా అందించగలరు.

Stating that the appellant did not receive the information from the PIO, the appellant filed 1st appeal dated: 02-03-2020 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 26-08-2021 at 10.30 A.M.

The case is called on 26-08-2021. The appellant is present and stated that the PIO has not furnished the information. The PIO / Sri R. Kailash, Head Master, MPUPS (Urdu Medium), Jainoor Mandal, Komaram Bheem Asifabad District is present and stated that he has taken charge recently and he is not in receipt of the 6(1) application dated: 02-12-2019, hence no information was furnished.

Heard both the parties and perused the material papers available on record and observed that the appellant filed 6(1) application dated: 02-12-2019 seeking information on 7 points and the PIO vide letter dated: 30-12-2019 requested the appellant to pay Rs. 17,548/-, but did not inform the number of pages and other details.

The Commission is of the view that the information sought is huge & voluminous and as per the orders issued by the Hon'ble Supreme Court of India in Central Board of Secondary Education and Anr. Vs. Aditya Bandopadhyay and Ors in Civil Appeal No. 6454 OF 2011 (arising out of SLP(C) No: 7526/2009) wherein in it is stated that:

“Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of the Public Authorities and eradication of corruption) would be counter productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of the Public Authorities spends 75% of their time in collecting and furnishing the information to the appellants instead of discharging their regular duties. The treat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of Public Authorities prioritizing ‘information furnishing’ at the cost of their normal duties.”

Keeping in view of the above Supreme Court decision, the Commission directs the PIO to allow the appellant for verification of records on a fixed date and time by issuing prior intimation to the appellant to enable him to obtain specific information 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