

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: 6272/SIC-SK/2020

Date: - 23-07-2021

Appellant : Sri G. Devidas, 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 G. Devidas, Nizamabad District has filed 2nd appeal dated: 27-07-2020 which was received by this Commission on 03-08-2020 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: 10-02-2020 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:

With due respect I, G..Devidas R/o Nizamabad bring to your kind notice that I am in need of the particulars of the only deceased persons whose names have been registered on 10-09-1993.

Therefore I request you to issue a list, mentioning the details of the deceased persons whose names have been registered on 10-09-1993 in an under-mentioned proforma to the following address kindly.

Example:

Sl No	Name of deceased person with surname	Father's or Husband's name	Date of Death	Date of Registration
1	Smt.Dodla Posani	Linganna	03-08-1993	10-09-1993
2	Salla Maruthi	Rajalingu	06-08-1993	---Do---
3	Kunta Praveen	Bojanna	13-08-1993	---Do---

Stating that the appellant did not receive the information from the PIO, the appellant filed 1st appeal dated: 05-06-2020 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 Srinivas, Medical Health Officer, O/o the Municipal Commissioner, Nizambad Municipality, Nizambad District responded and stated that the information was furnished to the appellant, but failed to submit the copies of the information furnished and the postal receipt 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: 10-03-2020 seeking information on 3 persons who were deceased and registered on 10-09-1993. Upon not filing any documentary evidence of furnishing the information, the Commission cannot accept the submission of the PIO.

The Commission took a serious view and directs to issue **Show Cause Notice** to the present PIO & the then PIO / Medical Health Officer, O/o the Municipal Commissioner, Nizambad Municipality, 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 furnish only the number of persons deceased and which were registered on 10-09-1993 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