

# 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: 6341/SIC-SK/2020**

**Date: - 17-09-2021**

Appellant : Sri Md. Sami, Wanaparthy District.

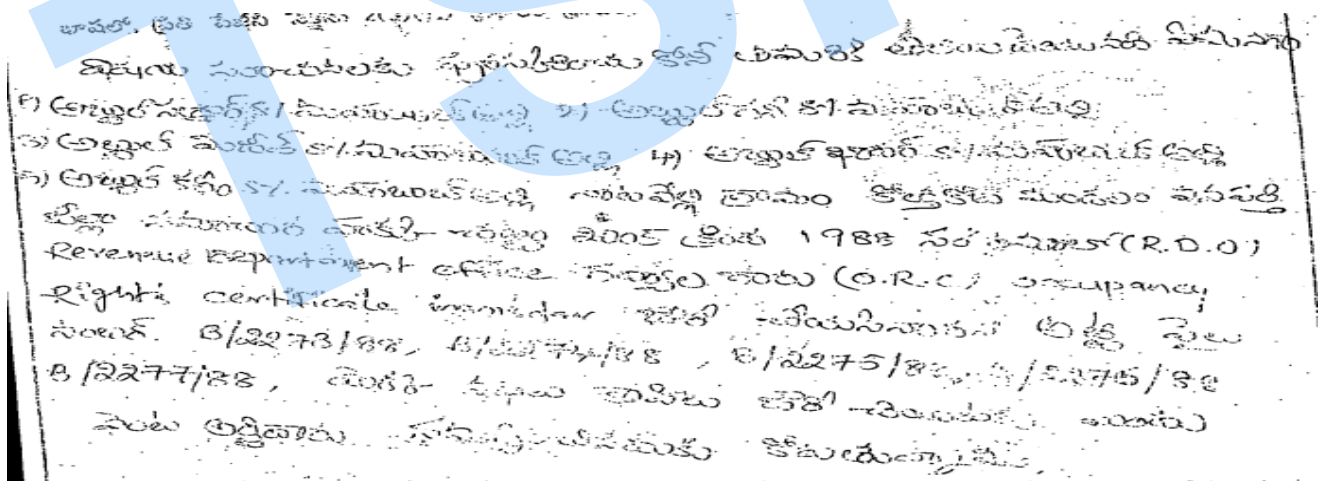
Respondents : Public Information Officer  
(U/RTI Act, 2005)  
The District Revenue Officer,  
Wanaparthy Division,  
Wanaparthy District.

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

## Order

Sri Md. Sami, Wanaparthy District has filed 2<sup>nd</sup> appeal dated: 27-07-2020 which was received by this Commission on 05-08-2020 for not getting the information sought by him from the PIO / O/o the District Revenue Officer, Wanaparthy Division, Wanaparthy District and 1<sup>st</sup> Appellate Authority / O/o the Joint Collector, Wanaparthy 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: 24-12-2019 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:



Stating that the appellant did not receive the information from the PIO, the appellant filed 1<sup>st</sup> appeal dated: 17-02-2020 before the 1<sup>st</sup> 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 / 1<sup>st</sup> Appellate Authority even after 30 days of filing his 1<sup>st</sup> appeal, he preferred this 2<sup>nd</sup> appeal before this Commission requesting to take action against the PIO and 1<sup>st</sup> 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 2<sup>nd</sup> appeal may be taken on file and Notices issued to both the parties for hearing on 17-09-2021 at 12:00 P.M.

The case is called on 17-09-2021. The appellant is absent. Sri A. Pandu, Divisional Administrative Officer, O/o the Revenue Divisional Officer, Wanaparthy Division & District is present on behalf of the PIO / District Revenue Officer, O/o the District Collector, Wanaparthy District and stated that a reply was given vide letter No: I/1632/2019 dated: 18-01-2020 informing that the information sought is not available due to bifurcation and filed a copy of the same before the Commission.

Heard the PIO and perused the material papers available on record and observed that the appellant filed 6(1) application dated: 24-12-2019 seeking certain information.

Informing that the file is not available does not absolve the PIO / District Revenue Officer, O/o the District Collector, Wanaparthy District for his responsibility in furnishing information. The PIO should either trace out the files or rebuild the records, it is the responsibility of the Public Authority for disappearance of the file relating to lands which are normally permanent records.

The Public Authority should ensure the existing department instructions regarding handing over and taking over files of the office to the incoming officers while signing CTC. Thus the Public Information Officer should possess the list of permanent records / files handed over to him during the taking over charge of the office.

In the instant case the appellant is seeking information about the file No: B/2273/88, B/2274/88, B/2275/88, B/2276/88 & B/2277/88 in the revenue records and the Revenue Officials cannot escape from their obligations by saying that the records are not traceable.

The revenue records are important documents and they are supposed to be retained over longer periods. Keeping in mind the interest of the people, they are also supposed to properly index and take utmost care for their retention. In case of destruction of the records, the Public Information Officer should be able to furnish particulars of destruction i.e. year of destruction with proof. The Public Information Officer should also indicate the retention period of the above referred permanent files.

The reply given by the Public Information Officer in the instant case goes to show gross negligence on the part of Revenue Officials and therefore it is desirable, that the District Collector, Wanaparthy District who is the officer responsible for implementing RTI in the district also should ensure that records are well maintained and also to fix responsibility for missing records.

The District Collector, Wanaparthy District is directed to fix the responsibility and take action against the concerned Officers for causing disappearance of the records under the Civil Services (Conduct & Classification) Appeals Rules for the missing files.

The Commission took a serious view and directs to issue **Show Cause Notice** to the then PIO / O/o the District Collector, Wanaparthy 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 trace out the complete records and furnish the complete information to the appellant within Two (2) weeks 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**

T S I C