

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: 7009/SIC-SK/2020

Date: - 17-09-2021

Appellant : Sri S. Bhujang Rao, Adilabad Town.

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

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

Order

Sri S. Bhujang Rao, Adilabad Town has filed 2nd appeal dated: 25-08-2020 which was received by this Commission on 28-08-2020 for not getting the information sought by him from the PIO / O/o the Municipal Commissioner, Adilabad Municipality, Adilabad District and 1st Appellate Authority / O/o the Municipal Commissioner, Adilabad Municipality, Adilabad 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: 30-07-2020 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:

It is submitted that, I am resident of H.no.1-3-115, Shantinagar, Adilabad on 23-07-2020 Municipal concerned officer has come to my house stated that one person name not known has filed complaint erection of compound wall by digging cement road I have asked who has filed complaint petition please inform the name of the person who has filed complaint against me. But the enquiry officer who has attended to my house from Municipal office has not informed to me. Hence I have filed application u/sec. 6(i) of the RTI Act., 2005 with a request kindly to furnish the copy of application who has filed complaint against me for erection of wall within (48) hours from the date of receipt of my application as the case is pertaining to life & liberty of the applicant as required u/sec 7(i) of the RTI Act., 2005 if required copy of complaint application has not been received by me within (48) hours from the date of receipt of my application I will file 1st appeal petition u/sec. 19(i) of the RTI Act., 2005 to the AA/Commissioner, Municipality, Adilabad for taking action against the PIO/Municipality, Adilabad

Stating that the appellant did not receive the information from the PIO, the appellant filed 1st appeal dated: 05-08-2020 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 17-09-2021 at 12:00 P.M.

The case is called on 17-09-2021. The appellant is absent. The APIO / Sri M. Saikiran, Town Planning Section, O/o the Municipal Commissioner, Adilabad Municipality, Adilabad District is present and stated that the information was furnished to the appellant vide letter Roc. No: RTI/55/2020 dated: 20-04-2020, but failed to submit the postal evidence of furnishing the information to the appellant.

Heard the PIO and perused the material papers available on record and observed that the appellant filed 6(1) application dated: 30-07-2020 seeking certain information. Upon not filing the documentary evidence of furnishing the information, the Commission cannot accept the submissions of the PIO.

The Commission took a serious view and directs to issue **Show Cause Notice** to the present PIO / Sri. M. Saikiran, Town Planning Section & the then PIO / Sri B. Vandanam, Assistant City Planner, O/o the Municipal Commissioner, Adilabad Municipality, Adilabad 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 information to the appellant immediately 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