

# 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: 7862/SIC-SK/2020**

**Date: - 23-07-2021**

Appellant : Sri Vikas Prakash Agarwal,  
Secunderabad.

Respondents : Public Information Officer  
(U/RTI Act, 2005)  
The Assistant City Planner, Circle – 9,  
GHMC, Sardar Mahal, Charminar,  
Hyderabad.

Public Information Officer  
(U/RTI Act, 2005)  
The Assistant Municipal  
Commissioner, Tax Section, Circle – 9,  
GHMC, Sardar Mahal, Charminar,  
Hyderabad.

First Appellate Authority  
(U/RTI Act, 2005)  
O/o the Commissioner, GHMC,  
Tankbund, Hyderabad.

## **Order**

Sri Vikas Prakash Agarwal, Secunderabad has filed 2<sup>nd</sup> appeal dated: 25-09-2020 which was received by this Commission on 25-09-2020 for not getting the information sought by him from the PIO / O/o the Assistant City Planner, GHMC, Sardar Mahal, Charminar, Hyderabad and 1<sup>st</sup> Appellate Authority / O/o the Commissioner, GHMC, Tankbund, Hyderabad.

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:

- 21-2-772/1 to 42, Pathergatti, Hyderabad.
- 1) That my father is the Tenant of the above mentioned property popularly known as Gulab Rai Building in premises bearing no. 21-2-772/1 to 42, Pathergatti, Patel Market, opp Punjab National Bank, Hyderabad.
  - 2) I approached the office of the asst city planner with a request to provide me the details but the same were refused directing me to approach the Property Tax section.
  - 3) By this application under section 6 of the RTI Act I would like your office to furnish me the following information and copies.
    - a) Copy of sanction plan accorded by MCH, for construction thereon along with the details.
    - b) The number of houses, mulgies and rooms existing in premises 21-2-772/1 to 42, Pathergatti, Patel Market, opp Punjab National Bank, Hyderabad, both legal and illegal.
    - c) The number of commercial and residential units in the said premises.
    - d) The details of Property tax being paid by the owner of the same.
    - e) The applicable property tax to the said building as per the Norms of GHMC.

Stating that the appellant did not receive the information from the PIO, the appellant filed 1<sup>st</sup> appeal dated: 28-01-2020 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 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. Faheem, Assistant City Planner, O/o the GHMC, Charminar Zone, Circle – 9, Hyderabad responded and stated that a reply was given to the appellant vide letter No: RTI/772/ACP/C9/Chr-Z/GHMC/2021 dated: 15-07-2021 and filed a copy of the same along with the postal receipt before the Commission.

Heard both the parties and perused the material papers available on record and observed that the appeal filed 6(1) application dated: 25-11-2019 seeking information on few points. On perusal of the letter dated: 15-07-2021 the PIO furnished the information for point No: 1 and for remaining points the PIO has requested to approach the TAX Department, Circle – 9. The Commission is not satisfied with the reply of the PIO. The PIO ought to have transferred the application U/s 6(3) of the RTI Act 2005 with a request to furnish the information to the appellant for the remaining information.

The Commission took a serious view against the PIO 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 Commission warns the PIO not to repeat such lapses in future and strictly adhere to the provisions of the RTI Act 2005.

The Commission directs the PIO to transfer the application U/s 6(3) of the RTI Act 2005 to the TAX Department, Circle – 9 with a direction to furnish the 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**  
**Copy to: SO / SF / OC**