

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: 8175/SIC-SK/2018

Date: - 03-09-2021

Appellant : Sri Ehtesham Qutubuddin Siddiqui,
Nagpur.

Respondents : Public Information Officer
(U/RTI Act, 2005)
O/o the Registrar Judicial, High Court
for the State of Telangana, Hyderabad.

First Appellate Authority
(U/RTI Act, 2005)
O/o the Registrar General, High Court
for the State of Telangana, Hyderabad.

Order

Sri Ehtesham Qutubuddin Siddiqui, Nagpur has filed 2nd appeal dated: 14-05-2018 which was received by this Commission on 22-05-2018 for not getting the information sought by him from the PIO / O/o the Registrar Judicial, High Court for the State of Telangana, Hyderabad and 1st Appellate Authority / O/o the Registrar General, High Court for the State of Telangana, 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: 27-11-2017 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:

(iii) Description of Information Required:

- Kindly furnish the certified copy of the Confessional statement made by accused Asadullah Akhtar @ Haddi in Hyderabad Bomb Blast case of 2013. U/s 164 of Cr.P.C. (The Confirmation proceeding U/s 367 of Cr.P.C. is pending before this High Court as aforesaid accused convicted to death sentence by trial court in Dec-2016.
- Kindly furnish the confirmation case No., Appeal No. of the aforesaid proceeding.
- Kindly furnish the copy of A.P. High Court RTI Rules 2005 and Rules & procedure regarding obtaining certified copies.

(iv) whether the information is required by post or in person
By speed / Registered post:

(4) WHETHER THE APPLICANT IS BELOW POVERTY LINE?

Yes, proof is the Order of Registrar (Finance & Budget) High Court, Bombay, which declares the applicant under below poverty line category due to confinement in jail is annexed herewith marked as Exhibit-A (Page 2-4, Para 3-4). Hence no such fee shall be charged U/s 6(1), 7(1) & 7(5) of RTI Act 2005, and therefore all the information shall be provided in free of cost.

The PIO vide Roc No.924/PIO/JUDL/2017 dated. 15-12-2017 furnished the information to the appellant.

Aggrieved with the reply from the PIO, the appellant filed 1st appeal dated: 08-01-2018 before the 1st Appellate Authority requesting him to furnish the information sought by him u/s 19(1) of the RTI Act, 2005.

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 was taken on file and Notices issued are to both the parties for hearing on 03-09-2021 at 10.30 A.M.

The case is called on 03-09-2021. The appellant is absent. Sri Swaroop Oorilla, Standing Counsel and advocate on record for O/o the Registrar Judicial, High Court of Telangana, Hyderabad is present and submitted that a reply was given to the appellant vide letter ROC No: 924/PIO/JUDL/2017 dated: 15-12-2017 and on filing the 1st appeal dated: 08-01-2018 the First Appellate Authority vide order in appeal No: 17 of 2018 dated: 02-05-2018 passed an order confirming the findings of the PIO.

Heard the PIO and perused the material papers available on record. The Commission admitting the concurrent finding of the PIO and the First Appellate Authority.

The appeal is closed.

SYED KHALEELULLAH
STATE INFORMATION COMMISSIONER

Authenticated by:

Section Officer
Copy to: SO / SF / OC