

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: 9844/SIC-SK/2020

Date: - 15-07-2021

Appellant : Sri V. Shyam, Secunderabad.

Respondents : Public Information Officer
(U/RTI Act, 2005)
O/o the Deputy Commissioner,
Circle-8, GHMC, Charminar Zone,
Hyderabad.

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

Order

Sri V. Shyam, Secunderabad has filed 2nd appeal dated: 26-10-2020 which was received by this Commission on 24-11-2020 for not getting the information sought by him from the PIO / O/o the Deputy Commissioner, Circle-8, GHMC, Charminar Zone, Hyderabad and 1st Appellate Authority / O/o the Zonal Commissioner, GHMC, South Zone, 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: 04-03-2020 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:

- 1) తమిల నర్కల్ జి.హెచ్.యం.సి. కార్పొరేషన్ ఎలక్షన్ 2016 సంవత్సరంలో నర్కల్ చాలకి ఎలక్షన్ కమిషన్ వారు ఎంత మొత్తం నిధులు విడుదల చేసినారు? వాటి యొక్క వివరాలు పి.ఐ.ఓ. గారు తెలుపగలరు.
- 2) తమిల నర్కల్ జి.హెచ్.యం.సి. కార్పొరేషన్ ఎలక్షన్ సమయంలో నర్కల్ వారికి ఎలక్షన్ కమిషన్ వారు, ఎలక్షన్ విధుల నిమిత్తం ప్రభుత్వ ఉద్యోగులు, పొరుగుసేవ వారు ఎంతమంది పాల్గొన్నారు? వారి యొక్క పేర్లు, వారియొక్క హోదా, పాల్గొన్న వారు లిజిస్టర్ యొక్క నకలు మరియు లికార్డుల తనిఖీ కొరకు పి.ఐ.ఓ. గారికి దరఖాస్తు.
- 3) తమిల నర్కల్ జి.హెచ్.యం.సి. కార్పొరేషన్ ఎలక్షన్ సమయంలో నర్కల్ వారికి ఎలక్షన్ కమిషన్ వారు, విడుదల చేసిన నిధులను ప్రభుత్వ ఉద్యోగులకు గానీ, పొరుగు సేవ వారికి గానీ, జీత భత్యాలు చెల్లించిన రకీదు నకలు మరియు లికార్డుల పరిశీలన పి.ఐ.ఓ. గారికి దరఖాస్తు.
- 4) తమిల నర్కల్ నుండి జి.హెచ్.యం.సి. కార్పొరేషన్ ఎలక్షన్లో డబ్బులు అందని వారికి, అడిషనల్ డబ్బుల కొరకై, తమిల నర్కల్ నుండి అడిషనల్ ఎలక్షన్ కమిషన్ వారికి తమిల నర్కల్ వారు ఎన్ని అర్జీలు పెట్టినారు? ఏ అధికారి గారు అర్జీలు పెట్టినారు? అధికారి పేరు, వాటియొక్క తేదీల వివరములు తెలుపగలరు. వాటియొక్క నకలు ఇవ్వగలరు.

And more few points.

Stating that the appellant did not receive the information from the PIO, the appellant filed 1st appeal dated: 28-07-2020 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 15-07-2021 at 11.00 A.M.

In view of the Covid -19 Pandemic, the cases are heard over phone on 15-07-2021 with prior intimation to the concerned parties. The appellant did not respond. The PIO / Sri M.A. Qadeer, Assistant Municipal Commissioner, GHMC, Circle – 8, Charminar Zone, Hyderabad responded and stated that the information sought is not specific and vast, hence no information could be furnished.

Heard both the parties and perused the material papers available on record and observed that the appellant through his 6(1) application dated: 04-03-2020 seeking information on 7 points which is Huge & Voluminous.

The Commission is of the view that as per the orders issued by the Hon'ble Supreme Court of India in Central Board of Secondary Education and Anr. Vs. Aditya Bandopadhyay and Ors in Civil Appeal No. 6454 OF 2011 (arising out of SLP(C) No: 7526/2009) wherein in it is stated that:

“Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of the Public Authorities and eradication of corruption) would be counter productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of the Public Authorities spends 75% of their time in collecting and furnishing the information to the appellants instead of discharging their regular duties. The treat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of Public Authorities prioritizing ‘information furnishing’ at the cost of their normal duties.”

The Commission took a serious view and directs to issue **Show Cause Notice** to the present PIO & the then PIO / Assistant Municipal Commissioner, GHMC, Circle – 8, Charminar Zone, Hyderabad 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 allow the appellant for verification of records on a fixed date and time by issuing prior intimation to the appellant to enable him to obtain specific information and to report compliance to the Commission.

With the above direction, the appeal is closed.

SYED KHALEELULLAH
STATE INFORMATION COMMISSIONER

Authenticated by:

Judicial Officer
Copy to: SO / SF / OC