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: 5323/SIC-SK/2019 **Date: - 22-10-2021**

Appellant : Sri M. Sudheer, Hyderabad.

Respondents : Public Information Officer
(U/RTI Act, 2005)
The Chief Administrative Officer,
O/o the Metropolitan Session Judge,
Nampally Court, Hyderabad.

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

Order

Sri M. Sudheer, Hyderabad has filed 2nd appeal dated: 06-05-2019 which was received by this Commission on 06-05-2019 for not getting the information sought by him from the PIO / Chief Administrative Officer, O/o the Metropolitan Session Judge, Nampally Court, Hyderabad and 1st Appellate Authority / O/o the Registrar General, High 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: 21-01-2019 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:

(a) I request you to let me know the establishment of Mediation Centre in the MSJ Court and also the main objective of this centre.
(b) I request you to provide me the Information related to Appointment Procedure and Term of Office, Qualification and Remuneration of Counsellors and other Supporting staff of this Mediation Centre.
(c) Please provide me the current working Counsellors and Supporting Staff Information related to their Qualifications, Remuneration and Timings of the Mediation centre.
(d) Which Courts and Cases under MSJ are eligible to refer the Parties to the Litigation to this Mediation Centre.
(e) In which stage of the 498A, DVC and Maintenance Courts Judicial Officers are eligible to refer the Parties to this Mediation Centre.
(f) Judicial Officers are having an absolute authority to refer the Parties to the Mediation Centre in 498A, DVC and Maintenance cases or are they need to seek prior consent of the parties to the litigation.
(g) If Judicial Officers needs to seek prior consent of the Parties in 498A, DVC and Maintenance cases before referring the Mediation Centre. What will be the decision of the Judicial Officer if one Party denies and another agrees for Mediation or both the Parties denies the case to the Mediation Centre.
(h) If Judicial Officer referred the case to the Mediation Centre in 498A, DVC and Maintenance cases. How many Levels and Types of Counselling need to face by the Parties. In First level Mediation Meeting only both the parties denies further counselling and Interested to contest a case. Then what will be the act of the Counsellor. Case will be referred back to the Court or any authority Counsellors will have to continue for further levels of counselling.
(i) If counsellors of the Mediation Centre doesn't acts impartially or stressing the Parties. Whom the Parties need to complain in 498A, DVC and Maintenance cases.
(j) Mediation Centre services are freely provided to the Parties or it's an paid service.
(k) Please provide me Date wise with case numbers related to 498A, DVC and Maintenance cases were referred by the Judicial Officers of the respective Courts since January 01, 2018 to the till date.

The PIO vide LR. No. 2681/MSJ/RTI/Hyd/2019 dated. 25-04-2019 furnished the information to the appellant.

Aggrieved with the reply from the PIO, the appellant filed 1st appeal dated: 06-03-2019 before the 1st Appellate Authority requesting him to furnish the information sought by him u/s 19(1) of the RTI Act, 2005.

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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 are issued to both the parties for hearing on 22-10-2021 at 10.30 A.M.

The case is called on 22-10-2021. The appellant is present and stated that the PIO has not furnished the complete information. The PIO / Sri R. Ramu, Chief Administrative Officer, O/o the Unit of Metropolitan Sessions Judge, Nampally, Hyderabad is present and filed his affidavit stating that vide letter Dis. No: 637/MSJ/RTI/Hyd/2019 dated: 29-01-2019 and letter Dis. No: 1347/MSJ/RTI/ Hyd/2019 dated: 26-02-2019 the application was transferred to the PIO / Superintendent, Metropolitan Legal Services Authority, Metropolitan Sessions Judge, Hyderabad with a request to furnish the information to the appellant and vide letter Dis. No: 2681/MSJ/RTI/Hyd/2019 dated: 25-04-2019 the information was furnished to the appellant. The PIO filed copy of the information furnished along with the postal receipt before the Commission.

Sri A. Kranthi Kumar Reddy, Standing Counsel for O/o the Registrar General, Telangana State High Court, Hyderabad is present representing the First Appellate Authority stated that an order was passed vide appeal No: 30 of 2019 dated: 08-07-2019.

Heard both the parties and perused the material papers available on record.

The Commission directs the PIO to give a specific reply for point No: b & f to the appellant within 15 days 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

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Note: This is system generated copy and no signature is required