

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: 1980/SIC-SK/2022

Date: - 21-07-2022

Appellant : Sri J. Kalyan Chakravathy,
Mancherial District.

Respondents : Public Information Officer
(U/RTI Act, 2005)
O/o the District Collector,
Mancherial Collectorate,
Mancherial District.

First Appellate Authority
(U/RTI Act, 2005)
O/o the District Collector,
Mancherial Collectorate,
Mancherial District.

Order

Sri J. Kalyan Chakravathy, Mancherial District has filed 2nd appeal dated: 19-01-2022 which was received by this Commission on 24-01-2022 for not getting the information sought by him from the PIO / O/o the District Collector, Mancherial Collectorate, Mancherial District and 1st Appellate Authority / O/o the District Collector, Mancherial Collectorate, Mancherial 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: 30-04-2021 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:

అక్షయక ప్రజ్ఞానాత్ స్యాయస్థానం విచారణ చేసిన కేసు నం. ST
No. 391/2021/6/791/2018 - Luxettipet యొక్క పూర్తి
పైపు త్రులు ఇవ్వగలరు.

Stating that the appellant did not receive the information from the PIO, the appellant filed 1st appeal dated: 01-06-2021 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 was taken on file and Notices issued to both the parties for hearing on 21-07-2022 at 12.00 P.M.

The case is called on 21-07-2022. The appellant is present and filed his affidavit stating that the PIO has not furnished the information. The representative Smt. M. Sherisha, Section Assistant is present on behalf of the PIO – III / Sri Madhusudan Naik, Additional Collector / DRO (FAC), Mancherial District and filed affidavit stating that vide letter Rc. No: A2/RTI/6511/2021 dated: 07-12-2021 the application was transferred u/s 6(3) of RTI Act 2005 to the PIO / O/o the RDO, Mancherial Division, O/o the RDO, Bellampally Division and all the Tahsildars in the Mancherial District with a request to furnish the information to the appellant. The representative of the PIO filed copy of the letter before the Commission.

Sri A. Dilesh, Senior Assistant is present and filed affidavit of Sri Dasari Venu, RDO, Mancherial Division & District and stating that vide letter Rc. No: I/509/2021 dated: 28-12-2021 the application was transferred u/s 6(3) of the RTI Act 2005 to all the Tahsildars in Mancherial Division with a request to furnish the information to the appellant. The representative of the PIO filed copy of the letter before the Commission.

Sri J. Manik Rao, Deputy Tahsildar is present on behalf of Smt. K. Shyamala Devi, RDO, Bellampally Division, Mancherial District and filed her affidavit stating that on receipt of the letter dated: 07-12-2021 from the District Collector, Mancherial District vide letter No: K/20-170/2022 dated: 06-01-2022 the application was transferred u/s 6(3) of RTI Act 2005 to the all the PIOs / Tahsildars in the Division with a request to furnish the information to the appellant and accordingly the information was collected from all the Mandal Tahsildars and the same is brought to the Commission.

Heard both the parties and perused the material papers available on record and observed that the appellant through his 6(1) application dated: 30-11-2021 seeking certain information relating to various Mandals and Divisions in the Mancherial District and the PIO vide letter dated: 07-12-2021 transferred the application to all the RDO's and the Tahsildars in the District. The action of the PIO is not in accordance to the provisions of the RTI Act.

The PIO ought to have furnished only the available & held information in their office to the appellant and for the remaining information, the PIO should have informed the appellant to file separate application before the concerned Public Authority. The PIO in order to provide the information wasted lot of time by referring it to several PIOs with whom the information is available, by which the purpose of furnishing the information in time i.e., within 30 days is defeated with reference to section 7(1) of the RTI Act.

The Commission refers to the memo issued by the Government of India vide memorandum No: 10/2/2008-IR dated: 12-06-2008 by the Ministry of Personnel, Public Grievances & Pension Department of Personnel & Training, New Delhi. (Refer to page No: 77, 78 & 79 of the RTI Act 2005 for reference).

The Commission directs the PIO to follow the procedure and to furnish the available and held information pertaining to their office (keeping in view of Section 8, 9, 10 & 11 of the RTI Act 2005) to the appellant immediately through registered post with acknowledgement due & to report compliance to the Commission and for the remaining information the appellant is advised to file separate application before the concerned Public Authority seeking specific information.

With the above direction, the appeal is closed.

SYED KHALEELULLAH
STATE INFORMATION COMMISSIONER

Authenticated by:

Section Officer
Copy to: SO / SF / OC