

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: 968/SIC-SK/2022

Date: - 18-08-2022

Appellant : Sri Jadhav Subhash Naik,
Visakhapatnam.

Respondents : Public Information Officer
(U/RTI Act, 2005)
O/o the Tahsildar, Lingapur Mandal,
Komarambheem Asifabad District.

First Appellate Authority
(U/RTI Act, 2005)
O/o the Revenue Divisional Officer,
Asifabad Division, Komarambheem
Asifabad District.

Order

Sri Jadhav Subhash Naik, Visakhapatnam has filed 2nd appeal dated: 16-01-2022 which was received by this Commission on 20-01-2022 for not getting the information sought by him from the PIO / O/o the Tahsildar, Lingapur Mandal, Komarambheem Asifabad District and 1st Appellate Authority / O/o the Revenue Divisional Officer, Asifabad Division, Komarambheem Asifabad 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: 25-10-2021 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:

1. I have applied for Non-Migration Certificate at Tahsildar office Lingapur, Komarambheem (Asifabad) Dist on 25/01/2021. Please send me the daily progress made on my Non-Migration Certificate application and action taken reports so far.
2. Kindly let me know the names and designation of the authorized officers with whom my application was lying during this period and action taken by him/her.
3. Please inform as per your citizen's charter, rules and regulations of Revenue Department in how many days I should have got the Non-Migration Certificate.
4. Please let me know the reason for the delay / non-issuance / non-delivery of my Non-Migration Certificate as per the Citizens Charter.
5. Please specify the criteria for granting a Non-Migration Certificate.
6. Whether any non-migration certificate has been issued by the Lingapur Tehsildar's office? If yes, please provide the name, address and certificate copies of such applicants.

Stating that the appellant did not receive the information from the PIO, the appellant filed 1st appeal dated: 06-12-2021 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 18-08-2022 at 10.30 A.M.

The case is called on 18-08-2022. The appellant is absent. The PIO / Sri M. Chitru, Deputy Tahsildar, Lingapur Mandal, Komaram Bheem Asifabad District is present and filed his affidavit stating that vide letter No: C/82/2021 dated: 21-10-2021 the appellant was requested to submit certain documents and informed that the application will be enquired and accordingly the application would be processed or will be rejected.. The PIO filed copy of the letter before the Commission.

Heard the PIO and perused the material papers available on record, the Commission is of the view that though the PIO has issued the Non Migration Certificate, but has not replied to the 6(1) application dated: 25-10-2021.

The Commission directs the PIO to give a specific reply and furnish the information to the appellant once again duly attesting 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