



RIGHT TO
INFORMATION

ANDHRA PRADESH INFORMATION COMMISSION

(Under Right to Information Act, 2005)

1st Floor, MGM Capital Building, Abutting NH-16 Service Road,
Near NRI Hospital 'Y' Junction, Chinakani, Mangalagiri, Guntur District-522503,
Phone No: 0863-2387312, Email: sic2-apic@ap.gov.in, Website : www.sic.ap.gov.in.

Present : Sri Chavali Suneel, Hon'ble State Information Commissioner.

Complaint No.6647/SIC-CHS/2024

Dated: 28-10-2024

ORDER

Complainant

: **Sri S. Surya Narayana Reddy,**
D.No: 14-32, Prasadampadu,
Vijayawada, NTR District-522601,
Cell: 7306319111.

Respondent

: **The Public Information Officer, RTI Act, 2005,**
O/o the District Fisheries Officer,
Narasaraopet ,
Palnadu District-522601.

List of Important Dates:

- | | | |
|---------------------------------|---|-----------------|
| 1. Date of Application U/s 6(1) | : | 07.03.2024 |
| 2. Date of Response from PIO | : | Did not respond |
| 3. Date of Complaint U/s 18(1) | : | 20.05.2024 |

The brief facts of the case as per the Complaint and other records received along with it are as follows:

Request for information U/s 6(1) of RTI Act, 2005 and its response :

- The Complainant filed an Application dated 07.03.2024 U/s. 6(1) of the RTI Act, 2005 before the PIO by requesting to furnish the following information :

1) PMMSY స్కీమ్ క్రింద తమ జిల్లా నందలి గల రికార్డులు, ప్రసర్తన ఇరిగేషన్ చెరువుల నందు 2020,2021,2022,2023 వ సంవత్సరములలో చేపలు విత్తనాలను నిల్వచేసేందుకు ఉన్న తాదికారులు అప్పిన ఆదేశాలు యొక్క ప్రతులు సకళ్ళను సంవత్సరాల వారీగా అవ్వగలరు.

2) PMMSY స్కీమ్ నందు ఫైల్ పర్సెక్ కమిటీ/జిల్లా పర్సెక్ కమిటీ చే ఆమోదించ బడియున్న ఒక్కో చేపపిల్లకు నిర్ణయించిన ధర వివరాలను తెలియజేస్తూ మరియు నడదు చేపలు విత్తనాలను సరఫరా చేయుటకు ఉన్న తాదికారులు మరియు తమరు అప్పిన ఉత్తర్వుల యొక్క ప్రతుల సకళ్ళను ,మరియు చేపల విత్తనాలు కనుగోలు చేసిన ధిల్లుల యొక్క ప్రతుల సకళ్ళను 2020 వ సంవత్సరం నుండి 2023 వ సంవత్సరం వరకు అవ్వగలరు.

3) ప్రభుత్వ మరియు ఉన్నా తాదికారులు అప్పిన ఆదేశాలు ప్రకారం సిద్ ఫ్లాకింగ్ కమిటీ సమావేశమున తమ జిల్లా నందలి గల రికార్డులు, ప్రసర్తన ఇరిగేషన్ చెరువుల నందు 2020,2021,2022,2023 సంవత్సరములలో పదిలిఉన్న చేప పిల్లల వివరములు తెలియజేస్తూ,చెలుపు సిద్ ఫ్లాకింగ్ కమిటీ సర్టిఫికేట్ ,వారి సంబంధము, ట్రాన్స్ ఫర్మ్ నే ధిల్లులు, చాటికి సంబంధించిన ఫోటోలు ఆలాగే సిద్ ఫ్లాకింగ్ కి సంబంధించి కమిటీ వారిచే సంతకములు చేసే ఉన్న ప్రతిములకు సంబంధించిన ప్రతుల సకళ్ళు మొత్తం అవ్వగలరు.

4) గౌరవ సుప్రీంకోర్టు వారు అప్పిన ఆదేశాలను అనుసరించి సమాచారవాక్కుచట్టం-2005 లోని సెక్షన్ 4(1)A అనుసరించి ఏపి రికార్డులను online చేసి ఉన్నాకొ సదరు రికార్డులు వివరాలు తెలియజేయగలరు.

- The PIO **didn't respond** to the 6(1) application.

Complaint U/s 18(1) of RTI Act, 2005 :

- As no information has been furnished by the PIO, the Complainant filed this present Complaint dated **20.05.2024 (Received on 20.05.2024)** U/s. 18(1) of the RTI Act, 2005 before this Commission.

Notice Issued :

4. After examining the material papers available on record, the Complaint was taken on file, accordingly issued notices on **10.09.2024** and were sent to the both Complainant as well as Respondent.

Hearing :

5. The case is called for hearing on **17.10.2024**.
6. The Complainant is present in person before this Commission. He stated that the information requested in his Section 6(1) application has not been provided to him to date. He requested that this Commission take action against the PIO under Sections 20(1) and 20(2) of the RTI Act, 2005, for failing to respond to his Section 6(1) application within the stipulated time.
7. The PIO & District Fisheries Officer is present in person before this Commission and has submitted an affidavit dated 16.10.2024. In this affidavit, he stated that the PIO furnished the requested information on 16.10.2024, by sending a letter to the Complainant. The PIO also indicated plans to hand over all enclosures to the Complainant during this hearing.
8. The PIO further explained that the Complainant requested substantial information, and due to the formation of a new district, a lack of staff, and work schedules assigned by his superiors, he was unable to provide the information within the stipulated time. He also submitted another letter dated 17.10.2024, detailing the reasons for the delay and requested this Commission to condone the delay in providing the information.
9. The PIO stated that, due to his failure to respond within the stipulated time to the Section 6(1) application, he is willing to provide the information free of charge. He also shown a bundle of documents containing the requested information to this Commission.
10. The PIO handed over the information to the Complainant in front of this Commission; however, the Complainant declined to accept it. He stated that the information is no longer necessary and requested this Commission to take action against the PIO under Sections 20(1) and 20(2) of the RTI Act, 2005, for failing to respond to his Section 6(1) application within the stipulated time.

Decision :

Upon perusal of the case file and after considering the arguments of both parties, this Commission notes that the PIO provided a set of documents to the Complainant free of charge due to the delay in furnishing information. However, the Complainant rejected this information because of the delay.

While the PIO has offered reasons for the six-month delay, this Commission finds it unacceptable. Therefore, this Commission opines that as per Section 19(8)(b) of RTI Act, 2005, the PIO is obligated to compensate the Complainant for any loss or detriment suffered due to the failure to provide the information within the stipulated time.

Therefore, the PIO is directed to pay an amount of **Rs.2000/- (Rupees Two Thousand Only)** to the Complainant as compensation U/s. 19(8)(b) of the RTI Act, 2005. This compensation is intended to cover the loss incurred by the Complainant due to the non-furnishing of information within the stipulated time. The payment should be made by cash or money order within one week from the date of receipt of this order.

The PIO is also directed to must submit compliance report to this Commission through Registered Post and through Email to sic2-apic@ap.gov.in, within 2 weeks from the date of receipt of this order.

The Complainant is advised to collect the information requested in the 6(1) application from the PIO, if necessary, within one week from the date of receipt of this order.

Accordingly, the complaint is disposed of.

Authenticated by


Asst. Registrar



To

1. The Complainant
2. The Respondent

Sd/-
CHAVALI SUNEEL
STATE INFORMATION COMMISSIONER