

A.P. State Information Commission
(Under Right to Information Act, 2005)
Ground Floor, HACA Bhavan,
Opp. Public Gardens, Hyderabad – 04.
Ph.Nos. 23230245 / 46 (O), 23230592 (Fax)

Appeal.No.7696/CIC/2007, dt. 26-03-2008

Name of the Appellant : Smt. K. Kalyani, R/o 3-73(upstairs),
7th cross, 1st Road, Ananatapur – 515 001.

Name of the Public Authority : The Public Information Officer,
O/o the Collector, Kurnool.

ORDER

Smt. K. Kalyani, R/o 3-73(upstairs), 7th cross, 1st Road, Ananatapur – 515 001 has filed an appeal dated nil which was received by this Commission on 26-12-2007 against the PIO, O/o the Collector, Kurnool.

The brief facts of the case as per the appeal and other records received with it are that the appellant filed an application dated 08-11-2007 before the Public Information Officer, seeking the following information:-

1. *What action the esteemed district collector has taken for the protection of my fundamental right of equality and for the cancellation of pattadar passbooks issued to Sri I. Ramamurthy, School assistant, M.P.U.P.School, Damagattla Village, Nandikotukur Mandal, Kurnool District, by Tahsildar, Dornipadu mandal, in response to my requisition letter dated 08-11-2007.*
2. *The information also needed, under which section of the Hindu succession act the Tahsildar, Dornipadu mandal, has disqualified me as legal heir and family member of my deceased father even though I come under class 1 legal heir as per Hindu succession act 1956 and also under the Hindu succession (Amendment) act 2005 and issued the family member cum legal heir certificate to my brother wherein it is certified that Sri I. Ramamurthy is the legal heir to receive the Bank deposits and others relating to his deceased father, as the said certificate was submitted by my brother in financial institutions as support of evidence along with his claims (the information letter from Public Information Officer Andhra Pragathi Grameena Bank, Kadapa, which was sent in response to my letter under right to information act 2005 is herewith enclosed.*

As he did not get the information sought for, her has directly filed the present appeal requesting to furnish the information sought by him without exhausting the provision of first appeal available u/s 19(1) of the RTI Act, 2005.

The appellant has not submitted a copy of her application filed u/s 6 of the Act before the PIO. The appellant did not self attest the enclosures. The appellant after filing the application addressed to the PIO, did not avail herself of the provision of 1st appeal available u/s 19(1) of the RTI Act but filed this 2nd appeal directly.

For the above defects and deficiencies this appeal is hereby **returned** as not maintainable at the admission stage and the appellant is advised to exhaust the provision of 1st appeal available u/s 19(1) and if even after 30 days of filing the first appeal, she still does not get the information, she may come up to this Commission by way of 2nd appeal available u/s 19(3) of the RTI Act, 2005 duly following the procedure prescribed in G.O.Ms.No.66, G.A. (I&PR.II) Dept., dated 25.02.2006.

C.D. ARHA
Chief Information Commissioner

Authenticated by:

(R.V.S. Paul)
Deputy Registrar