



## Forum for Good Governance

Regd. No. 653/2009

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**Justice Reddappa Reddy**

(Retd. High Court Judge)

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L. No. FGG/GOV/REP/ 117 /2021

Hyderabad  
21<sup>st</sup> October, 2021

To  
H.E. the Governor  
Telangana State  
Hyderabad

Respected Madam,

**Sub :** R.T.I. Act – Certain instructions of Chief Secretary to Spl. Chief Secretaries, Prl. Secretaries and H.O.D.s – Request for withdrawal of instructions – Reg.

**Ref :** General Administration Department U.O. Note 3674/GPM&AR/2021, dated 13-10-2021

-: \$ :-

Chief Secretary to Government has issued instructions to Spl. Chief Secretaries, Prl. Secretaries and H.O.D.s to instruct Public Information Officers to obtain orders from them before furnishing information to applicant under R.T.I. Act. The said order if implemented it will take long time for the citizens to get information, besides increasing unnecessary work load in bureaucracy.

For example, if a citizen want to know the work done and amount spent in his village under employment guarantee scheme he will file R.T.I. application with the village Panchayat Secretary who cannot write to Spl. Chief Secretary or the H.O.D directly, therefore he has to write to Mandal Officer who inturn forward it to District Panchayat Officer, like this the application has to cross four stages while moving forward and also in its return journey. This increases work load at every stage.

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In the said order, Sec. 5(1) of R.T.I. Act is quoted which is unrelated, it deals with designation of P.I.O.s only, where as Sec. 7 (1) of the Act says the P.I.O. on receipt of request shall as expeditiously as possible and in any case within thirty days, either provides information or reject. This is the discretionary powers and independent functioning given to P.I.O. under the Act. Supreme Court of India upheld the discretionary powers and independent functioning of P.I.O. Now the said order of the Chief Secretary is against Sec. 7 (1) of R.T.I. Act. Chief Secretary of a state cannot middle with the Act passed by Parliament of India.

Government of Telangana is not interested to implement the R.T.I. Act. After formation of the State, Information Commissioners were not appointed. Forum for Good Governance filed P.I.L. No. 164/2017 and the Hon'able Court passed orders that within 6 weeks Commission members and Chairpersons to be appointed and on Court orders Commissioners were appointed.

Preamble of R.T.I. Act says **“Where as Democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption and to hold Government and their instrumentalities accountable to the Governed”**.

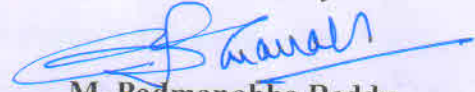
Government of Telangana like all State Governments has a website where in all G.O.s pertaining to various departments are uploaded for the benefit and knowledge of the common man, in order to promote open and transparent Government. This arrangement is in practice in all most all the states including Government of India. Surprisingly on 10-2-2016 Government of Telangana suddenly and unceremoniously shut down the website. Later on the G.O.'s are classified as, for public and internal. The G.O.s classified as internal deals with important matters but they are barred from public access. In this way Government prevented transparency in working. Aggrieved by the action of the Government, Forum for Good Governance filed P.I.L. No. 14896/2016. So far Government have not filed the counter and case is pending in Hon'able High Court.

The present order of Chief Secretary, on the pretext of certain P.I.O.s is furnishing information in a routine manner without proper verification is unjustified and a lame excuse to kill the R.T.I. Act. If some P.I.O.s are giving information in a routine manner such people should be trained but not take away the independency and discretionary powers of P.I.O.s. which is against the spirit of the R.T.I. Act.

Corruption in administration is rampant in Telangana. Now and then thanks to, R.T.I, Act, some scams are exposed. If the order of Chief Secretary is implemented it will close down the R.T.I. Act and transparency and accountability are the causalities leading to more corruption.

Forum for Good Governance requests the H.E. the Governor to pass speaking orders directing the Chief Secretary to withdraw the U.O. Note, dated 13-10-2021 issued by him.

Yours Sincerely



**M. Padmanabha Reddy**  
Secretary  
Forum for Good Governance

- Encl :** 1. General Administration Department U.O. Note No. 3674/GPM&AR/2021,  
dated 13-10-2021  
2. Hon'able High Court Order copy of PIL No. 164 of 2017