



Jammu and Kashmir State Information Commission
(Constituted under Right to Information Act 2009)
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File No: SIC/J/A/120/2015
Decision SIC/J/A/120/2015/175

Sh. Mohd. Rafi	Appellant	Heard Telephonically
Sh. Sushil Kumar Assistant Commissioner Development Doda	Public Information Officer	Present
Sh. Zakir Hussain Block Development Officer Gundna	Public Information Officer	Present

Jammu

04.09.2015

Briefly the facts in this appeal are that Sh. Mohd. Rafi, S/o. Sh. Abdul Sabhan, R/o. Dehrote V.P.O.: Prem Nagar, Tehsil Mohalla District: Doda moved an application before the PIO/ACD, Doda on 13.05.2015 under the Jammu & Kashmir Right to Information Act, 2009 whereunder he sought certain information relating to MGNREGA scheme and National Rural Employment Scheme of Panchayat Jatheli and Panchayat Dongru for the year 2009-2015 etc. The aforesaid application of the information seeker was received in the office of Block Development Officer, Gundna on 13.05.2015. The Block Development Officer, Gundna informed the information seeker vide office No. BDO/G/117 dated: 14.05.2015 to deposit the photostat charges, amounting to Rs. 26000/- only tentatively, so that the information could be provided to the information seeker.

The information seeker instead of depositing the aforesaid amount insisted that he belongs to BPL category and is entitled to seek information, free of cost, and in support of his claim for exemption of cost of information he submitted a photocopy of the Ration Card, issued in the name of his father, in which the name of the appellant appears and that too in the first appeal filed before the First Appellate Authority/Director, Rural Development Department, Jammu. In the copy of the Ration Card submitted by the

appellant, it is mentioned Antyodaya Anna Yojana (AAY) (for PDS Ration Commodities). The office of the PIO/BDO, Gundna didn't entertain the said Ration Card as the said certificate is not valid in terms of census, conducted by the Department of Rural Development, Government of India (Socio Economic Census).

During the course of proceedings the PIO/BDO, Gundna submitted before the Commission that the appellant was also intimated vide office No. BDO/G/229 dated: 10.06.2015 to produce BPL/AAY certificate in original, as per the BPL Survey (2002-2007), so that the information could be provided to him. The perusal of the record shows that the appellant failed to produce the original BPL/AAY certificate issued by the Department of Rural Development, Government of India. During the course of proceedings held today, the appellant was heard telephonically and he expressed his willingness to deposit an amount of Rs. 26000/- only, as cost of information, demanded by BDO, Gundna and BDO, Gundna assured the Commission that after receiving the said amount in his office, he will furnish the requisite information sought by the information seeker.

In view of the aforesaid facts and observations, PIO/BDO, Gundna is hereby directed to furnish the requisite information as per office record to the information seeker within 15 days from the date of receipt of the aforesaid amount, as cost of information, from the information seeker.

The appeal is accordingly disposed of.

Notice of this decision be given free of cost to the parties.

Sd/-
Dr. S.K. Sharma
State Information Commissioner

Copy to the:

4. PIO/Sh. Sushil Kumar, Assistant Commissioner Development, Doda.
5. PIO/Sh. Zakir Hussain, Block Development Officer, Gundna, Doda.
6. Appellant/Sh. Mohd. Rafi, S/o. Sh. Abdul Sabhan, R/o. Dehrote, V.P.O.: Prem Nagar, Tehsil: Mohalla, District: Doda.

(Khalid. A. Shah)
Dy. Registrar
State Information Commission