



J&K State Information Commission
(Constituted under Right to Information Act 2009)
Old Assembly Complex, Srinagar, Fax No. 0194-2506661/2506662
Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937
www.jksic.nic.in

File No: SIC/J/A/128/2015
Decision No: SIC/J/A/128/2015/191

Dr.Suresh Kumar Sharma	Appellant	Present
Registrar, Baba Ghulam Shah Badshah University, Rajouri-(J&K).	F.A.A.	Absent
I/c Deputy Registrar (Establishment), Baba Ghulam Shah Badshah University, Rajouri-(J&K).	PIO	Absent

JAMMU
23.09.2015

Briefly the facts in this appeal are that Dr.Suresh Kumar Sharma, C/O Deptt.of Buddhist Studies, University of Jammu, Jammu-180006 moved an application dated 05.06.2015 before the PIO,BGSBU,Rajouri under the Jammu & Kashmir Right to Information Act, 2009 whereunder he sought the following information:

1. Breakup wise details of teaching and non-teachings posts/positions advertised from January, 2007 to May, 2015.
2. Photocopies of the advertisement notice(s) with eligibility criteria issued from time to time.
3. Details of the selected candidates alongwith their qualification.
4. Details of the grants sanctioned by the University Grants Commission (UGC), NAAC and by other State or Central funding agencies from Ist

- April, 2007 to Ist April, 2015. Also, give the utilization certificate of the amount sanctioned by these agencies.
5. Give the details of the infrastructural items and laboratory tools purchased from Ist. April 2007 to 1st April 2015 alongwith the details of the account/head through which the sanction has been made.
 6. Provide the details of the Project taken by the faculty/teaching members of the University from Ist. April 2007 to Ist. April 2015. Also provide the details of the project which are already completed and which are yet to be completed with their deadlines. Delay, if any, give reasons under the support of official statement.
 7. List and details of the students/scholars alongwith their account numbers who received scholarships under different schemes such as SC/ST,UGC JRF-NET, Rajiv Gandhi, ICHR,ICCR, ICPR,University local financial aid and many more from Ist. April 2007 to Ist. April 2015.
 8. Provide the details of the financial expenditure on the cultural, literary and sports activities from Ist. April 2007 to Ist. April 2015. Also, provide the detail(s) of the criteria fixed for engaging the experts/coaches/trainers.
 9. Does the amount sanctioned and utilized on all such projects and activities asked above is audited by the Audit Section of the University or by the concerned agency of the State Government or concerned financial agency? If yes, provide the photocopies of the report. If no, give reason.

The application of the information seeker was received in the office of the PIO/ Incharge Deputy Registrar (Estab.),BGSBU,Rajouri through registered post on 16.06.2015 and the PIO vide office letter No.BGSBU/Estab/RTI/2015/458-60 dated 29.06.2015 informed the information seeker that the information sought is vague and voluminous in nature and it involves disproportionately diversion of resources and is also detrimental to the normal functioning of the University and requested the applicant to specify the information so that the same may be arranged without prejudice to the diversion of resources of the University. The PIO also requested the applicant to visit University Campus on a working day in order to ascertain the required record so that the same could be compiled accordingly.

Meanwhile, the appellant preferred appeal dated 02.07.2015 before the First Appellate Authority BGSBU, Rajouri. During the pendency of the

first appeal, the PIO vide office No.BGSBU/Estab/RTI/2015/468-70 dated 13.07.2015 informed the information seeker that his RTI application was forwarded to all the concerned officers for compilation thereof, most of them have informed that the information sought is vague and voluminous in nature and in view of the involvement of most of the officers for arranging such voluminous information, it would hamper the normal functioning of the University and requested the appellant that in order to provide such lengthy information it was felt appropriate to seek your help vide letter dated 29.06.2015 for identification of specific information which will be compiled and provided to you within the stipulated time. The PIO contested the claim of the appellant about the denial of information and also assured the information seeker that available information after collecting from different offices will be provided and requested the applicant to deposit fee of Rs.968/- for 484 pages in the shape of Demand Draft or IPO favouring Registrar, BGSBU, Rajouri payable in J&K Bank. The appeal filed by the appellant was dismissed by the First Appellate Authority vide No. BGSBU/Estab/RTI/FAA/15/478-80 dated 07.08.2015 on the ground that the PIO has not denied the information and the applicant has filed the appeal before the expiry of statutory period for disposal, the appeal being premature and the applicant was advised that if he is not satisfied with the reply of the PIO, he may file a fresh appeal.

However, the appellant feeling aggrieved of the order of First Appellate Authority and response received from the PIO filed second appeal dated 24.08.2015 before the Commission. The Commission after receiving the second appeal listed the matter for hearing on 23.09.2015. The appellant was present in person. Whereas, the First Appellate Authority and PIO of the BGSB University, Rajouri were absent inspite of the fact that the Commission had informed them in advance vide office notice No.SIC/J/A/133/2015/4174-76 dated 08.09.2015 to attend the hearing on 23.09.2015(10.00 a.m.) at Jammu office of the Commission. Office of the Commission tried to contact the Registrar and PIO of BGSBU, Rajouri

telephonically however, there was no response from the PIO and the First Appellate Authority.

During the course of proceedings held today, the appellant pleaded before the Commission that his RTI application was rejected on flimsy grounds simply by informing that the information sought is vague and voluminous in nature and it will disproportionately divert their resources whereas, the PIO has asked for depositing the cost of information. The appellant accused the University authorities of delaying tactics for not providing the information to him. The appellant also submitted that only in two of the queries raised in RTI application he has asked for photocopies and that too does not involve the amount claimed by the PIO as cost of the information. The Commission went through the RTI application of the information seeker and it was found that certain queries raised by the information seeker require creating/generating of the information manually which will disproportionately divert the resources of the public authority and as such he is advised to visit the office of the PIO, Incharge Deputy Registrar(Estab.)BGSU, Rajouri and specify the information which can be made available readily through the mechanism of xeroxing the office record. However, the information relating to certain queries which can be readily prepared by the office of the public authority without diversion of its resources may be made available to the information seeker without wastage of any further time.

In view of the aforesaid facts and observations, the Registrar/FAA and Incharge Deputy Registrar (Estab.)/PIO of BGSBU, Rajouri are hereby directed to provide the requisite information to the information seeker which is readily available as per office record on payment of requisite fee as already demanded by the PIO within 10 days from the date of receipt of cost of information. The Registrar,BGSBU, Rajouri is further directed to provide an opportunity to the appellant to inspect the record on a working day during office hours so that the information seeker may be able to specify the information sought by him and the same may be provided to him on payment of requisite fee as prescribed under the J&K Right to Information

Act, 2009. The parties are at liberty to decide the date and time for inspection of record which may be convenient to them.

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

Vishwa

Copy to the:

1. Dr.Suresh Kumar Sharma, C/O Deptt.of Buddhist Studies, University of Jammu, Jammu-180006.
2. Registrar,Baba Ghulam Shah Badshah University,Rajouri-(J&K).
3. I/c Deputy Registrar (Establishment),Baba Ghulam Shah Badshah University,Rajouri-(J&K).

(Renu Mahajan)

Joint Registrar,

J&K State Information Commission