



Jammu and Kashmir State Information Commission
(Constituted under Right to Information Act 2009)
Old Assembly Complex, Srinagar, Fax No. 0194-2520937, 2484262
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www.jksic.nic.in

File No: SIC/J/A/56/2015
Decision SIC/J/A/56/2015/286

Sh. Ram Chand Sharma

.... (Complainant)

V/s

PIO/A.D., CA & PD, Kathua & TSO, Hiranagar

.... (Respondents)

Date of Institution : 26.08.2015
Date of Decision : 07.04.2016
Decision : Complaint disposed of.

This complaint has arisen out of a decision of State Information Commission passed vide No. SIC/J/A/56/2015-125 dated: 14.07.2015, wherein, interalia PIO/TSO, CA & PD, Hiranagar and Assistant Director, CA & PD, Kathua have been directed to furnish the revised information to the information seeker relating to query No. 3 and 5 of the RTI application, free of cost, within 02 weeks from the date of receipt of this order under an intimation to the Commission.

The Commission received a complaint on 26.08.2015, wherein the complainant has submitted that the respondents have not provided him information with regard to query No. 3 and 5, as no information has been provided with regard to the disbursement of ration to the concerned ration holders of Village Parangoli. The Commission after admitting the complaint issued notices dated: 08.01.2016, 09.02.2016 and 22.03.2016 to the parties for appearance before the Commission. The case was listed on 06.04.2016, but adjourned as respondents did not appear and case was listed for 07.04.2016.

Sh. Kewal Krishan, the then Assistant Director-cum-PIO, CA & PD, Kathua (now Assistant Director, Enforcement, Jammu), Sh. Jaswant Singh, TSO, Hiranagar and complainant appeared before the Commission. The respondents produced copy of letter dated: 12.09.2015, in reference to decision of the Commission No. SIC/J/A/56/2015-125, dated: 14.07.2015 enclosing 36 leaves of information. The information provided is in response to para 5 of the RTI application i.e. monthly certificate issued by concerned Sarpanch authenticating the disbursement to each card holder.

The complainant pointed out that certificate of Panchayat with regard to ration issued to each card holder has not been provided. The respondent/TSO, Hiranagar submitted that Panchayat members authenticate only monthly receipt and issue and they are not required to authenticate the record of ration issued to each card holder. The respondents submitted that there is no other record maintained by the department which is required to be signed by the Panchayat members. Therefore, the plea of respondents is accepted as information available on record has been provided and received by the complainant.

At point 3 of the RTI application, complainant has sought month wise disbursement statement of issued ration to 03 types of card holders viz. APL, BPL & AAY. The PIO has provided information under letter dated: 25.06.2015 with 12 enclosures, whereunder he has given statement of food-grains lifted from food store Hiranagar w.e.f 01/2012 to 12/2014 for sale centre Parangoli. The AD/TSO submitted that quantity issued is fully disbursed to the beneficiaries as is evident from details of receipt and issue signed by the dealer duly authenticated by the Panchayat members. However, the plea of the complainant is that information sought in respect of ration issued to each card holder during this period has not been given.

The Commission has found that information sought at point No. 3 is not clear regarding ration issued to each card holder. As per information given by TSO, Hiranagar the number of card holders serviced by ration store Parangoli is around 230. Therefore, providing information in respect of ration issued to each of these 230 card holders for a period of 2 years is voluminous and would divert the resources of the public authority. Therefore, the Commission directs TSO, Hiranagar to provide the requisite information i.e. ration issued to each card holder under all categories from July, 2014 to December, 2014 as per record.

The respondents submitted that these records are maintained by the dealers and, therefore, these records have to be obtained from the dealers. In view of the above, 2 weeks time is granted to the respondents for providing information to complainant. They will also file explanation for non appearance before the Commission in response to notices dated: 08.01.2016, 09.02.2016 and 22.03.2016.

The complaint filed before the Commission is disposed of with above directions.

Sd/-

(Er. Nazir Ahmed)

State Information Commissioner

Date: .04.2016

No: SIC/J/A/56/2015

Copy to:

1. PIO/Assistant Director, CA & PD, Kathua.
2. PIO/Sh. Kewal Krishan, (the then Assistant Director-cum-PIO, CA & PD, Kathua), now Assistant Director Enforcement, Jammu.
3. PIO/Sh. Jaswant Singh, Tehsil Supply Officer, Hiranagar for compliance.
4. Appellant/Sh. Ram Chand Sharma, R/o. V.P.O. Parangoli, Tehsil: Hiranagar, District: Kathua.

(Renu Mahajan)

Joint Registrar

J&K State Information Commission

