



**Jammu and Kashmir State Information Commission**

شہن ى كم شہن ى انفارم ٹى اسٹ رى كشم نڈى ا جموں

(Constituted under The Right to Information Act, 2009)

**Wazarat Road, near DC Office Jammu, 0191-2520947, 2520937**

**Old Assembly Complex, Srinagar, 0194-2506660, 2506661**

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File No. SIC/J/A/3/2016

Decision No. SIC/J/A/3/2016/322

Appellant : Mr. Nasib Singh  
Respondents : CA&PD Jammu  
Date of Registration : 21.04.2016  
Date of Decision : 25.05.2016

The appellant filed Second Appeal on 17.03.2016 (admitted after completion of deficiencies on 21.04.2016) on the ground that PIO has not provided information within stipulated time period. Further, FAA has failed to supply information within stipulated period.

As per documents enclosed with the appeal, RTI application is addressed to PIO/AD CA&PD Department Jammu regarding complaint against CAPD Kathua and ration dealers Panchayat Halqa Dumar and Thain, Tehsil Kathua. This RTI application has been responded to by PIO on 29.09.2015 informing appellant that information collected from the concerned section is enclosed. The information enclosed comprises of communications from Directorate of CA&PD Jammu to AD CA&PD Kathua dated 06.05.2015 on the subject '*complaint against CA&PD Kathua and Ration Dealers Panchayat Halqa Dumar and Their Tehsil Kathua*', reminder-I dated 14.05.2015, reminder-II dated 27.05.2015 and reminder-III dated 21.09.2015. Thereafter, First Appeal received by the

Directorate of CA&PD Jammu on 01.10.2015 has been decided by FAA/Director CA&PD Jammu vide order dated 05.10.2015 observing that records of PIO were examined and it was found that PIO has already passed order dated 29.09.2015, whereunder the required information has been enclosed. FAA has concluded that requisite information stands furnished to the information seeker and therefore there are no reasons to interfere with the order already passed by the PIO.

Mr. Mansoor Aslam Choudhary, PIO/Joint Director CA&PD Department Jammu and appellant Mr. Nasib Singh heard via Video Conferencing from Jammu Office.

The appellant submitted that no action has been taken on the complaint filed by him against CA&PD Kathua and Ration Dealers Panchayat Halqa Dumar and Thein Tehsil Kathua. PIO drew attention of the Commission to the RTI application and submitted that the appellant has only given references of complaint and communications of CA&PD Department under which complaint was forwarded to AD CA&PD Kathua and has not sought any specific information. PIO further submitted that as per provisions of the Act, he is required to give information as available in the records and therefore communications pertaining to the case have been provided to the appellant.

Commission has observed that complaint basically pertains to supply of ration to BPL/AAY families of Panchayat Halqa Dumar and Thein Tehsil of Kathua district. Therefore, FAA i.e., Director CA&PD Jammu and PIO/Joint Director CA&PD Jammu in their Administrative capacities ought to have acted on the complaint and enquired into the matter, even if information seeker has not specified as to what information he was seeking. From the contents of complaint it is implied that he is seeking action taken by the Department on his application. However, only

routine reminders have been sent to AD CA&PD Kathua, whose office has also been impleaded in the complaint.

The spirit of J&K RTI Act, 2009 is to bring transparency and accountability in the working of Public Authorities and eradicate corruption. Keeping this spirit in view, the Commission directs Director CA&PD Department Jammu to have the matter enquired into, in a time bound manner through an officer not connected with CA&PD Kathua and apprise the Commission and the appellant about the outcome of inquiry.

With the above directions, appeal filed before the Commission is disposed of.

Sd/-  
(Nazir Ahmed)  
State Information Commissioner

Copy to the: -

1. Director CA&PD Department, Jammu.
2. Joint Director CA&PD Department, Jammu.
3. Pvt. Secretary to Hon'ble State Information Commissioner, Srinagar.
4. Mr. Nasib Singh s/o Lt. Mr. Tula Ram r/o Village Domar P.O. Thain Tehsil & Distt. Kathua.

(G.Q. Bhat)  
Registrar,  
State Information Commission

