



**Jammu and Kashmir State Information Commission**

شٹیٹ انفارمیشن کمیشن ریگسٹرڈ ریگسٹرڈ ایجنسی

(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/K/SA/52/2016

Decision No. SIC/K/SA/52/2016/38

Appellant : Mr. Mohammad Hassan Masha  
Respondents : ACD Kargil  
Date of Registration : 03.05.2016  
Date of Decision : 04.06.2016

Brief facts of the case are that appellant filed Second Appeal on 03.05.2016 stating that he filed RTI application before Respondent-1 i.e. BDO TSG Block Kargil dated 20.02.2016, but PIO failed to provide the required information within prescribed time. That he filed First Appeal before Project Director (DRDA)/FAA on 20.03.2016, but FAA also failed to provide the required information. The appellant has prayed the Commission to impose penalty under Section 17 of the Act for failure to provide required information within stipulated time period.

Mr. Akhoun Mohammad Sadiq, Assistant Commissioner Development Kargil/FAA, Mr. Mohammad Ashraf, Block Development Officer, TSG/PIO, Mr. Ghulam Mohammad, the then BDO TSG and Mr. Mohammad Hassan Masha, appellant attended the hearing at Circuit House, Kargil.

PIO/BDO TSG Block submitted that in response to RTI application dated 20.02.2016, he informed the appellant vide letter dated 11.03.2016 to report to his office for seeking required information during any office hours. This communication has been sent to the appellant through Indian Post on 15.03.2016.

During proceedings today, PIO/BDO submitted that earlier the appellant had filed another application under RTI Act, seeking similar information and subsequently filed Second Appeal before the Commission. The case/appeal was decided by the Commission vide order dated 10.05.2016 and in compliance to directions of the Commission, information comprising of 128 pages have been provided to the appellant vide letter dated 23.05.2016. The appellant admitted receipt of above information, but submitted that as per directions of the Commission dated 10.05.2016, copy of Muster Roll of skilled labour for the year 2013-14 has not been provided. BDO clarified that Muster Roll for the year 2013-14 has already been provided, as forwarded to Manager, J&K Bank Ltd. Branch, Trespone in the year 2014 when payments were released. These documents were perused by the Commission and it was found that Muster Roll for skilled labour for year 2013-14 has been provided to the appellant. The appellant further submitted that information for the year 2014-15 is nil. As per provisions of the Act, BDO is required to provide information as is available on record. However, keeping the spirit of RTI Act in view and to satisfy the appellant, BDO is directed to inform appellant that the information for 2014-15 is nil.

The Commission perused RTI applications dated 16.11.2015 on the basis of which Second Appeal was decided vide order dated

10.05.2016 and RTI application dated 20.02.2016 on which present appeal has been filed. It is observed that information sought in both these applications are almost similar. Therefore, information as asked for in the present RTI application has already been provided to the appellants vide letter dated 23.05.2016.

In view of above, no action is warranted and further appeal filed before the Commission is disposed of.

Announced at Circuit House Kargil.

Sd/-  
(Nazir Ahmed)  
State Information Commissioner

Copy to the: -

1. Project Director DRDA Kargil.
2. BDO TSG Block Trespone, Kargil.
3. Private Secretary to Hon'ble State Information Commissioner.
4. Mr. Muhammad Hassan Masha s/o Ghulam Muhammad r/o Tambis, Kargil.

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