



J&K State Information Commission
Wazarat Road, Near D.C. Office, Jammu /
Old Assembly Complex, Srinagar.

File No. SIC/J/A/25/2016
Decision No. SIC/J/A/25/2016/335

Appellant : Sikander Singh
Respondent: ACD/FAA, Jammu/BDO/PIO, Khour.
Date of Institution: 07-05-2016
Date of Decision: 07-06-2016/
State Information Commissioner: Er. Nazir Ahmad
Decision: Appeal dismissed.

1. Brief facts of the case are that appellant filed 2nd appeal before the Commission on 07-05-2016, on the ground that no reply has been received within stipulated time from BDO, Khour in respect of RTI application dated: 09-02-2016, filed before PIO, Directorate of Rural Development, Jammu, wherein, appellant had asked for information / details of service and qualification of Shri Bola Nath Sharma, BDO, Khour. Appellant has accordingly prayed Commission that requisite information be provided to him and appropriate action be taken against PIO for causing delay in providing information.

2. Mr. Showkat Mehmood, ACD/FAA, Jammu, Shri B.N.Sharma, BDO, Khour/PIO and appellant Mr. Sikander Singh attended hearing through video conferencing from Jammu office of the Commission.

3. BDO, Khour submitted that he has filed reply/counter statement before Commission with copy to the appellant. Perusal of the reply filed by BDO, Khour dated: 31-05-2016 reveal that in response to application dated: 09-02-2016, filed by the appellant, Shri Sikander Singh, point-wise reply has been provided to the appellant through registered cover vide letter dated:

23-02-2016 along with 34 leaves free of cost. This information has been sent through Indian Post Receipt No. RE862685069IN dated: 26-02-2016.

4. During proceedings, appellant admitted receipt of information by post a few days back. However, as per provisions of the Act, the period of disposal of RTI application shall be reckoned from the date of receipt of application to date of dispatch by PIO. In this case, information has been sent by the PIO/BDO, Khour well within time through prescribed mode of service. Therefore, information, even if received late, due to postal delay is not attributable to the PIO.

5. Appellant pointed out that information at point 2, i.e., educational and professional qualification of Shri Bola Nath Sharma, BDO is incomplete. However, from the reply of the PIO, it is evident that PIO has intimated educational qualification of Shri Bola Nath Sharma, BDO as a "B.A. through IGNOU" and professional qualification as "Secretariat Assistant Training Examination passed through JKPSC." Copies of both educational and professional qualifications have been endorsed to the appellant. The appellant could not substantiate his allegation. Therefore, there is no merit in the arguments of the appellant.

6. Commission has noted that PIO has provided information free of cost, although he has disposed of application within the period prescribed under the Act. He should have inform appellant about photocopy charges and also postal charges as per Section 7(3)(a) of the Act before providing information. By not doing so, PIO has caused a loss to the State Exchequer. Therefore, he is advised to be careful in future and follow procedure laid down in the Act.

7. BDO informed that appellant has filed around thirty RTI applications, seeking voluminous information. Commission would like to inform appellant that right to information has been given to the citizens to seek such information which will serve large public interest and which would bring transparency and accountability in the system. To achieve this objective, appellant ought to have sought specific information in a few applications rather than filing multiple applications, which would disproportionately divert the resources of the public authority and public authorities are within its right to deny voluminous information in the form asked for as per provisions of Section 7(9) of the Act. Further, providing voluminous information shall serve no purpose, unless information seeker makes its use for bringing transparency and accountability to eradicate corruption. The Commission asked appellant as to

what purpose the information so far provided to him has served in bringing out corruption, but he could not cite a single case, where he has used the information for this purpose.

8. In view of the above, the appeal filed before the Commission is dismissed.

Sd/-
(Er. Nazir Ahmad)
State Information Commissioner

No. SIC/J/A/25/2016

Dated: -06-2016

Copy to the:-

1. First Appellate Authority, ACD, Jammu.
2. Public Information Officer, BDO, Khour.
3. Pvt. Secretary to HSIC.
4. Shri Sikander Singh S/o Shri Kaka Singh VPO- Hamirpur, Sidhar, Tehsil Khour District Jammu (Appellant).
5. Guard file.

(G.Q.Bhat)
Registrar,
J&K, State Information Commission