



J&K State Information Commission
Wazarat Road, Near D.C. Office, Jammu Fax No: 0191-2520947, 2520927 /
Old Assembly Complex, Srinagar Fax ;0194-2506660,2506661.

File No. SIC/K/SA/55/2016
Decision No. SIC/K/SA/55/2016/48

Appellant : Shri Fida Ali
Respondent : FAA DRDA Kargil and PIO/Xen REW Kargil
Date of Institution: 29-05-2016
Date of Decision: 25-07-2016
State Information Commissioner: Er. Nazir Ahmad
Decision: Appeal disposed of.

Brief facts of this case are that appellant filed a Second Appeal under Section 16 of J&K RTI Act 2009 on 30.04.2016 stating that appellant moved an application as BPL category before respondent No.1 Xen REW Kargil under RTI Act 2009 on 07.09.2015 (True copy enclosed). That respondent No.1 failed to provide the required information within prescribed period. That thereafter the appellant filed First Appeal on 22.01.2016.

That the appellant has sought information regarding Total schemes/works done in different villages, details of works under different schemes with amount of work, place and location of the work, bill copy of each work from the year 2010 to 2015. Details of contractors and supervisory staff from JE to Xen involved in all these works from 2010 to 2015, besides copy of Photograph with allocation of each work and village for the said period and total amount spent by the department and work done under the scheme which should be equal to the total.

The appellant has prayed that respondent be directed to provide information without further delay, pay penalty under Section-17, pay expenses incurred during the process of RTI and any other relief which the Commission may deem fit.

In response to the notice of the Commission, Xen REW Kargil/PIO filed reply/counter statement dated 03.06.2016 interalia submitting that the information sought by the applicant seeking complete details of works executed under various schemes of the Department in all villages of the District from the year 2010 to 2015 is very voluminous and lengthy. That the RTI application was responded to by Xen REW Vide letter dated 20.11.2015, where under applicant was asked to visit the office of Xen along with his original BPL Card to inspect the required information free of cost up to the permissible limits, but he did not turn up. That the respondent never refused the information, but through office letter referred to above informed him to inspect the record, as the same cannot be supplied being voluminous. That the said information was given within 30 days. The Xen has concluded his reply by stating that the applicant can visit his office along with original BPL Card and inspect the information free of cost.

The case was heard at Circuit House Kargil on 04.06.2016. The respondents Mr. Mohammad Sadiq Akhoun ACD/PO Wage Employment Kargil (FAA), and Mr. Gulzar Hussain Xen REW Kargil/PIO attended the hearing. The appellant Shri Fida Ali did not attend the hearing, although he was informed vide Notice of the Commission dated 31.05.2016 to attend the hearing at Circuit House, Kargil on 04.06.2016 at 11.00 AM.

Accordingly, the case was adjourned with directions to Xen to send copy of reply/counter statement dated 03.06.2016 along with enclosures to the appellant on the address given in the Second Appeal within one week. The appellant was given an opportunity to file rejoinder, if any, within two weeks, thereafter. These directions were conveyed to the respondents and appellant vide notice dated 07.06.2016.

The case was again heard at Circuit House Kargil on 25.07.2016.

Mr. Mohammad Sadiq Akhoun ACD/FAA and Munshi Gulzar Hussain Xen REW Kargil attended the hearing. The appellant Shri Fida Ali did not appear before the Commission at Circuit House Kargil as per notice served to him on 20.07.2016 for hearing of appeal on 25.07.2016 at 11.00 AM.

Xen REW submitted that in compliance with the directions of the Commission through notice dated 07.06.2016, copy of reply/counter statement along with copy of correspondence has been sent to the appellant.

Conclusion/Decision:

The appellant has sought details of all works under different schemes with amount of work, place, site and location and copy of bill of each work for the period 2010 to 2015 and information related thereto for the same period undertaken by REW

in the District. This application has been responded by Xen REW vide letter dated 20.11.2015 informing the appellant that the information sought by him is extensive and voluminous and accordingly informed appellant to visit his office along with original BPL card for inspection of records and take copy of information required free of cost. During proceedings, Xen REW submitted that there is only REW Division in Kargil District is incharge of all works assigned to the Department in all 15 blocks of the District. He further informed that the work undertaken in each year by the Division is in the excess of 1000 including MGNREGA.

In view of the above, the Commission is of the considered view that information sought is not specific to any work, as required under Section-6 (i) (b) of the Act. Further, copying information of all works for a period of 5 years shall divert resources of the Public Authority as provided under Section-7 (9) of the Act. Accordingly, reply given by the Xen, REW Kargil asking the appellant to visit his office to see the record and take relevant extracts is upheld and appeal is dismissed.

Announced at conclusion of hearing.

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

SIC/K/SA/55/2016/

Dated: -07-2016

Copy to the:-

1. ACD/Project Officer Wage Employment DRDA Kargil
2. Executive Engineer REW Kargil
3. Pvt. Secretary to HSIC.
4. Sh. Fida Ali S/o Muhammad Hassan R/o Numtura Block, Taisura Kargil C/o Youth Action Committee Baroo Kargil
5. Guard File.

(A.K. Kotwal), KAS
Jt. Registrar,
J&K, State Information Commission