



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

File No. SIC/J/A/26/2016  
Decision No. SIC/J/A/26/2016/347

Appellant : Bashir Ahmad Matoo  
Respondent: Director/FAA, CAPD, Jammu / Assistant Director /PIO,  
CAPD, Ramban.  
Date of Institution: 06-05-2016  
Date of Decision: 22-06-2016/  
Decision: Appeal disposed of.

1. Brief facts of the case are that appellant filed 2<sup>nd</sup> appeal under Section 16 of the J&K RTI Act, 2009 before the Commission dated: 26-04-2016, submitting that he filed an RTI application before Assistant Director, CAPD, Ramban (PIO) on 29-01-2016, seeking some information through Registered AD. That having not received any response from the concerned PIO within period prescribed under the RTI, first appeal was preferred before Director, CAPD, Jammu/FAA on 29-02-2016. That first appeal was decided by Mr. G.S.Chib, Director, CAPD, Jammu/FAA vide order dated: 04-04-2016, directing Assistant Director, CAPD, Ramban/PIO to provide the requisite information to the appellant. But till date of filing of 2<sup>nd</sup> appeal before the Commission, no information has been provided. Appellant has accordingly prayed before the Commission for necessary proceedings in the matter.

2. Shri G.S.Chib, Director, CAPD, Jammu/FAA, Mr. Abdul Rashid, Assistant Director, CAPD, Ramban/PIO and appellant, Mr. Bashir Ahmad Mattoo heard via video conferencing from Jammu office of the Commission.

3. PIO/Assistant Director, CAPD, Ramban submitted that in compliance to directions of the FAA dated: 04-04-2016, information comprising of more than one thousand pages have been provided to the appellant vide PIO's letter dated: 04-06-2016. Appellant admitted receipt of said information.

4. Commission has observed that appellant has sought information regarding month-wise, category-wise, dealer-sales store-wise and family-wise issue of food grains and sugar under all categories attached to each sales centre/store and TSO-wise falling under the jurisdiction of Assistant Director, CAPD, Ramban w.e.f January, 2014 to January, 2016. On the face of it, information sought is not only voluminous but is not specific to a particular item/centre or period. The FAA/Director, CAPD, Jammu ought to have considered this aspect, as compiling such voluminous information would divert resources of the public authority and thus it will attract provisions of Section 7(9) of the Act. The FAA ought to have counseled appellant to either specify the information which he require or he should have allowed appellant for inspection of records and take relevant extracts of specific information only, which would have reduced workload of the PIO in compiling and providing information, which in this case runs into more than one thousand pages. It is in such case, that the Hon'ble Supreme Court in the case titled Aditya Bandopadhyay v/s CBSE (Civil Appeal No. 6454 of 2011) has held that **"the nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties."**

5. Further, spirit behind the RTI Act is to eradicate corruption and information seeker is expected to know prima facie such irregularities and seek information specific to such irregularities only and take it to logical end by approaching concerned Authority with information so obtained under RTI Act.

6. From the order of FAA dated: 04-04-2016, it is evident that till the disposal of first appeal, Assistant Director, CAPD, Ramban/PIO has not responded to the RTI application. Therefore, Mr. Abdul Rashid, Assistant Director, CAPD, Ramban/PIO

(Reportedly posted since last year) is directed to explain as to why penalty under Section 17 of the J&K RTI Act, 2009 shall not be imposed on him for delay in disposing of the RTI application within prescribed time. His reply, if any along with reply/counter statement shall reach the Commission within two weeks of the receipt of this order.

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

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

No. SIC/J/A/26/2016

Dated: -06-2016

Copy to the:-

1. Director, CAPD, Jammu /First Appellate Authority
2. Assistant Director, CAPD, Ramban / Public Information Officer.
3. Pvt. Secretary to HSIC.
4. Bashir Ahmad Mattoo S/o Abdul Latif Mattoo R/o Udrna Tehsil Bharderwah, District Doda.
5. Guard file.

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