



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

File No. SIC/J/A/19/2016
Decision No. SIC/J/A/19/2016/348

Appellant : Bashir Ahmad Matoo
Respondent: Director/FAA, CAPD, Jammu / Assistant Director /PIO,
CAPD, Reasi.
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 2nd 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, Reasi (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, Reasi/PIO to provide the requisite information to the appellant. But till date of filing of 2nd 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. Mohammad Iqbal, Assistant Director, CAPD, Reasi/PIO and appellant, Mr. Bashir Ahmad Mattoo heard via video conferencing from Jammu office of the Commission.

3. Perusal of RTI application point out that appellant has sought information of entire district for two years regarding issue of rations to each family and information

related thereto. Prima facie the Commission observes that information sought is voluminous and also not specific, thus attracts provisions of Section 7(9) and Section 6(1)(b) of the Act. Appellant agreed to it and submitted that he will inform PIO about specific information regarding Food & Supplies Department, Reasi within one week with copy to the FAA/Director, CAPD, Jammu. The Assistant Director, CAPD, Reasi/PIO is therefore directed to respond to the specific queries of the appellant within one week thereafter and file a compliance report before the Commission.

4. Since PIO has not responded to the RTI application within the period prescribed under the Act, appellant is therefore entitled to get the information free of cost.

5. From the order of FAA dated: 04-04-2016, it is evident that till the disposal of first appeal, Assistant Director, CAPD, Reasi/PIO has not responded to the RTI application. Therefore, Mr. Mohammad Iqbal, Assistant Director, CAPD, Reasi/PIO 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 compliance report shall reach the Commission within two weeks of the receipt of this order.

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

Sd/-
(Er. Nazir Ahmad)

State Information Commissioner

Dated: -06-2016

No. SIC/J/A/19/2016

Copy to the:-

1. Director, CAPD, Jammu /First Appellate Authority
2. Assistant Director, CAPD, Reasi / 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