



Jammu and Kashmir State Information Commission

شنیشن کمیٹی انفارمیری اسٹیٹسٹ کشمیر جموں ا
(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/J/A/65/2016

Decision No. SIC/J/A/65/2016/362

Appellant : Sh. P.Sulaiman Shera

Respondent : FAA/Sh. Showkat Mahmood, KAS
Assistant Commissioner Development, Jammu.

PIOs/Block Development Officer (BDO)
Akhnoor, BDO, Mathwar, BDO, Bhalwal, BDO,
Nagrota, BDO, Khour, BDO, Satwari, BDO,
Chowki Choura & BDO, R.S.Pura.

Date of Registration : 15.07.2016

Date of Decision : 16.08.2016

Brief Facts: The appellant Shri P. Sulaiman Shera filed a Second Appeal submitting that he filed RTI application dated: 21.11.2015, before PIO/O/o ACD, Jammu, who vide his letter dated: 30.11.2015, forwarded the same to all the BDOs of Jammu district with the request to provide complete information directly to applicant but without mentioning relevant section of the J&K RTI Act, 2009. That BDO, R.S. Pura and BDO, Chowki Chora vide letters dated: 18.12.2015 and 30.12.2015 respectively informed the appellant that there is no work taken up in

their blocks under SDRF (copy attached). That BDO, Akhnoor vide letter dated: 28.12.2015 has provided incomplete information (copy attached). That BDO, Mathwar vide letter dated: 31.12.2015 has asked appellant to deposit an amount of Rs. 450/- as fee after the stipulated time (copy attached). That BDO, Bhalwal vide letter dated: 28.12.2015, has asked the appellant to deposit an amount of Rs. 150/- after the stipulated time (copy attached). That BDO, Nagrota vide letter dated: 01.01.2016 has provided incomplete information to the appellant (copy attached). That out of 20 BDOs only six mentioned above had responded till the time First Appeal was filed and the rest 14 blocks did not respond to the application. That under section 7 (6) of the Act, requisite information is supposed to be provided free of charge after the stipulated period of 30 days. That appellant filed First Appeal before the FAA vide letter dated: 12.02.2016 (copy attached) which remain unattended. That during the period of First Appeal which was pending disposal, BDO, Khour vide his letter dated: 23.02.2016, intimated that no funds under SDRF were released in favour of Khour block (copy attached). That BDO, Satwari vide letter dated: 20.02.2016 addressed to ACD, Jammu stated that requisite information has been provided to appellant but no such information related to SDRF was received by the appellant till date. In view of the above appellant prayed that information requested for may kindly be provided under section 7(6) of the J&K RTI Act.

During hearing of case via Video Conferencing on 16.08.2016, Assistant Director (P & S), ACD office Jammu submitted that appellant has informed in writing that he is satisfied with the information provided by the BDO Nagrota.

BDO Akhnoor filed reply counter statement in the Commission. BDO Akhnoor submitted has informed the appellant for personal inspection of the record.

BDO Khour submitted that he has already informed appellant that he has not received any fund under SDRF and appellant has been informed accordingly vide letter dated: 23.02.2016, which has been acknowledged by the appellant.

BDO R.S. Pura and BDO Chowki-Chora submitted that these blocks did not receive any fund under SDRF and accordingly appellant has been informed vide letters dated: 28.12.2015 and 30.12.2015 respectively.

With regard to part of information pertaining to BDO, Mathwar, AD Planning O/o ACD Jammu submitted that application was received in his office on 23.11.2015 and transferred to all concerned BDOs under letter dated: 30.11.2015. However, BDO, Mathwar has disposed of the application on 31.12.2015, asking the appellant to deposit an amount of Rs. 450/- . It is observed that the information given by the BDO exceeds maximum period of 35 days allowed under the Act from the date of receipt in ACD Office to date of dispatch by the BDO. Therefore, the appellant is entitled to information free of cost.

Accordingly BDO, Mathwar is directed to send the information to the appellant free of cost as per the provisions of RTI Act within one week and file a compliance report.

Regarding information from BDO, Bhalwal, the response of BDO dated: 28.12.2015 is within the period of 35 days as referred to above. Therefore, the response of BDO, Bhalwal is as per the provisions of the Act.

As regards Block Satwari, the appellant has alleged that no information regarding SDRF has been received by him.

BDO, Satwari submitted that he has provided information to the appellant on 15.02.2016 in reference to some other RTI application. BDO could not explain whether the information so provided includes SDRF works.

Accordingly, BDO Satwari is directed to provide information specific to SDRF works only, as has been done by other blocks, within 02 weeks of receipt of this order and file a compliance report.

The appeal is accordingly disposed of with above directions.

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

Copy to the: -

1. Assistant Commissioner Development, Jammu.
2. BDO Akhnoor/Mathwar/Bhalwal/Nagrota/Khour/Satwari/Chowki Chouri/R.S. Pura.
3. Pvt. Secy. to Hon'ble State Information Commissioner.
4. Mr. P. Sulaiman Shera r/o Channi Himmat, Jammu.

(M.S. Bhat)
Deputy Registrar,
State Information Commission