



Jammu and Kashmir State Information Commission

(Constituted under the Right to Information Act, 2009)

Wazarat Road, near DC Office Jammu, 0191-2520947, 2520937

Old Assembly Complex, Srinagar, 0194-2506660, 2506661

www.jksic.nic.in

File No. SIC/J/A/124/2017

Decision No. SIC/J/A/124/2017/**140**

Final Order

Appellant : Sh. Riaz Ahmad Zargar, Ex-Sarpanch,
R/o Trown, Tehsil Doda, District Doda.
Respondent : FAA/PIO, RDD.
Date of Registration : 20.10.2017
Date of decision : **12-02-2018.**
Decision : Appeal disposed of.

Brief Facts:

Briefly, the facts of this case are that the appellant Sh. Riaz Ahmad Zargar, Ex-Sarpanch, while exercising his right to information filed an RTI application with the Public Information Officer (PIO) Rural Development Department Doda on 14-06-2017 seeking following information:

1. Provide the detail of Bills drawn of works under all schemes for the year 2016-17 of Panchayat Trown and Shangroo Block.
2. Provide the list of material suppliers of Panchayat Trown and Shangroo for the year 2016-17.
3. List of skilled for the Panchayat Trown and Shangroo with names and parentage for 2016-17.

Proceedings before the State Information Commission(SIC):

The instant 2nd appeal came up for hearing before the State Information Commission on 12-02-2018. The hearing was attended by the then PIO/BDO Bhalla Mr. Nayeem Iqbal Sheikh, Mr. Tahir Malik PIO/BDO Bhalla and appellant. On the direction of the Commission the present PIO provided the information to the appellant vide his communication dated 22-12-2017 which contain the details of the bills drawn as per the contingent register under MGNERGA and SBM as well as a list of the material suppliers and list of skilled labourers for the year 2016-17 in respect of Panchayat Trown and shangroo. The appellant was also informed that no expenditure has been incurred in any other scheme including 13thFC and 14thFC during 2016-17 in respect of these Panchayat Halqas. The appellant seems to be not satisfied with the said information as well and seeks copies of the invoices issued in favour of the beneficiaries. The PIO clarified that the entries are made in the contingent register only after the invoices are framed and presented to the bank and the said contingent register is the final record of all payments made in respect of the works executed. Therefore, the contingent register contains all details including the fact that the said amount has been drawn by the bank in favor of the beneficiaries.

Decision:

The Commission is satisfied with the explanation given by the PIO with regard to the information provided. However, in case the appellant is still not

satisfied and want some other information within the ambit of his basic RTI application, he can visit the office of the PIO and have the inspection of the records on any working day within a period of 15 days from today and seek further information as he feels to have not been provided in respect of his basic RTI application. The PIO is also directed to provide access to the appellant if he chooses to have the inspection of records and also provide him the additional information, within of course the ambit of his basic RTI application.

The then PIO Mr. Nayeem Iqbal Sheikh appeared before the Commission and informed that he had provided the information in respect of Panchayat Trown to the appellant within three days as directed by First Appellate Authority (FAA) vide his order dated 03-08-2017. In respect of Panchayat Shangroo, the appellant was asked during the hearing of 1st appeal to have inspection of records. As regards his non appearance before the Commission on 15-01-2018, Mr. Nayeem Iqbal Sheikh submitted that he did not receive the notice from the Commission nor was he informed about the notice having been issued by the Commission for appearance. The explanation given by Mr. Nayeem Iqbal Sheikh is plausible as the notice issued by the Commission on 09-01-2018 indicates that the same was not endorsed to Mr. Nayeem Iqbal Sheikh the then BDO. His explanation is, therefore, accepted.

With these observations the appeal is disposed of.

-Sd-
(Mohammad Ashraf Mir),
State Information Commissioner,
J&K State Information Commission.
/imi/

No. SIC/J/A/124/2017

Dated: / /2018.

Copy to the:

- 1 Registrar, JKSIC for information.
- 2 First Appellate Authority (FAA) Assistant Commissioner Development, Doda for information.
- 3 Public Information Officer (PIO) BDO, Bhalla for information and compliance.
- 4 PS to SIC for information of HSIC.
- 5 Sh. Riaz Ahmad Zargar (Ex-Sarpanch), R/O Trown, Tehsil and District Doda.
- 6 Guard file.

(Reeta Koul)
Deputy Registrar,
J&K State Information Commission