



Jammu and Kashmir State Information Commission

جموں اینڈ کشمیر اسٹیٹ انفارمیشن کمیشن

(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/CO/Comp/163/2017

Decision No. SIC/CO/Comp/163/2017/**1094**

Final Order

**Subject: Complaint titled Ashok Kumar Vs. PIO/FAA,
State Mission Director, ICDS, J&K**

This complaint came up for hearing today on 09-04-2018 at Srinagar. The complainant and the respondent were heard from Jammu office of SIC through teleconferencing as Video Conferencing could not be held due to some technical problems. The complainant stated that the district wise figures of the operational Anganwadi centers as reflected in the funds release order of 2014-15 was not tallying with the information provided by the department now in response to the present RTI application and that there was substantial difference in the figures in respect of certain districts.

The representative of the respondent department/State Mission Directorate who was also heard through teleconferencing was informed about the observations of the appellant regarding the figures of operational Anganwadi centers and the discrepancies thereof pointed out by him in respect of certain districts. She was asked to reconcile the figures wherever there were differences between the figures in the release order of 2014-15 and in the information provided by the PIO. Further, she was also asked to do the same exercise in respect of the figures given in the release orders for the years 2015-16 and 2016-17. The appellant stated that he could not obtain copies of release orders for the years 2015-16 and 2016-17 and was therefore, unable to compare the figures.

Decision/Direction:

This is a complaint under section 15. The complainant has stated in his complaint that information sought by him had not been provided. In the hearing today on 09-04-2018, he has conceded that information as per his proforma in the RTI application had now been received although there was disparity between the figures in the information now provided and the figures in the funds release order of the

year 2014-15 and perhaps in respect of other two years also i.e. 2015-16 and 2016-17.

Be that as it may and notwithstanding the disparity in the figures, the information sought for by the complainant as RTI applicant has now been provided. The RTI applicant/now complainant had asked for certain information which has now been provided. There was no query about discrepancy in the figures in the original RTI application or the complaint. However, now that the complainant has some information in his hands, he may make legitimate use of it and seek further inquiry and action through the competent authority under law. As far as this complaint is concerned, there are now no grounds for continuation with the proceedings in this complaint.

The PIO O/o State Mission Directorate is however enjoined upon to be careful in future while dealing with RTI applications as delay in providing information entails penalty which is not being imposed in this case as action had been initiated by the O/o State Mission Directorate by way of writing to the concerned Deputy Directors of ICDS for providing information to the appellant/now complainant although this was not the correct way of disposal of the RTI

application. The PIO should have collected the information from the subordinate offices, if necessary, and provided to the applicant/now complainant. That is why this advisory to the PIO and also to the Head of the Public Authority i.e. Mission Director, ICDS, State Mission Directorate, J&K Jammu/Srinagar. In the circumstances of this case, further inquiry is not warranted and will not serve any purpose as also imposition of penalty for delayed response.

With the above observations, this complaint is disposed of as closed.

Sd/-
(Khurshid A. Ganai)
Chief Information Commissioner

No: SIC/CO/COMP/163/2017_____

Dated: .04.2018

Copy to:

1. Registrar, J&K SIC for information.
2. State Mission Director, ICDS, for information and necessary action.
3. PIO, o/o State Mission Directorate, ICDS, J&K Jammu, for information and necessary action.
4. Private Secretary to HCIC for information of the HCIC.
5. Complainant/Sh. Ashok Kumar, R/O H.No. 280/2, Narwal Pain, Satwari, Jammu Cantt-03 for information.
6. Office file.

(Baldev Raj)
Joint Registrar
J&K State Information Commission

Zahoor A Bhat