



Jammu and Kashmir State Information Commission  
(Constituted under Right to Information Act 2009)  
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File No. SIC/J/A/28/2018  
Decision No. SIC/J/A/28/2018/286

### **Final Order**

Appellant : Shri Munshi Khan  
R/o Khori Saroor,  
Tehsil Thanamandi  
District Rajouri

Respondent : FAA, Assistant Commissioner (Dev) Rajouri.  
PIO, Block Development Officer  
Thanamandi, Rajouri.

D . O . R : 02-05-2018  
Date of decision : **28-08-2018**  
Decision : Disposed of

The present appeal has originated from the RTI application filed by Shri Munshi Khan on 16.10.2017 with the PIO, Block Development Officer, Thanamandi seeking information on the following points:

- i) *Kindly provide the information that how much funds and grants has been received by the Panchayat Manyal B during the financial year 2013-14, 2014-15, 2015-16 and 2016-17 and till September 2017 from the office of the Block Development Office, Thanamandi.*

- ii) *Kindly provide the information that out of the received funds and grants how much of the amount has been spend on each of the Panchayat activity in each financial year aforesaid provide details of the recipient and the balance lying with the Panchayat in shape of statement of account duly audited/attested.*
- iii) *Kindly provide name, father name and address of each the persons/beneficiaries of Panchayat Manyal B in whose favour construction of toilets have been sanctioned during the last four years.*
- iv) *Kindly provide the criteria adopted by the Department for sanctioning of funds for construction of the toilets of the beneficiaries.*
- v) *Also inform the applicant how much amount has been paid to each beneficiary for the construction of toilets and mode of payment*
- vi) *Kindly provide name father name and address of each persons / beneficiaries of Panchayat Manyal-B in whose favour construction of foot path, wall protection and drain during the last four years and which criteria adopted by the department for sanctioning of work”*

As the information was not provided by the PIO within the specified time, the applicant filed first appeal with the First Appellate Authority / Assistant Commissioner Development, Rajouri on 19.12.2017 praying for the directions to the PIO, BDO, Thanamandi to provide information to the applicant without any further delay. After filing of the first appeal, the PIO furnished information to the applicant on 19.01.2018. The appellant filed 2<sup>nd</sup> appeal before this Commission on 19.01.2018 contending that the information provided to him by the PIO on 19.01.2018 was incomplete and that the first appellate authority passed no

order on the first appeal filed by the appellant within the period stipulated in the RTI Act.

The appeal came up for hearing before the Commission today on 28<sup>th</sup> August 2018. The appellant was present during the hearing. Shri Mohd. Zubair, PIO, Block Development Officer, Thanamandi was also present during the hearing. The appellant submitted that the information provided to him by the PIO is incomplete. On being asked to explain how the information was incomplete, the appellant submitted that no information has been provided in respect of point No.1 regarding details of funds and grants received by the Panchayat Manyal-B from the year 2013 to 2017. Similarly in point No.3, the appellant had sought details of beneficiaries of Panchayat Manyal-B in whose favour toilets have been sanctioned and he has been provided information in respect of Panchayat Manyal A and no information has been provided in respect of Panchayat Manyal B. The appellant also submitted that no information has been provided in response to point No.4 to 6 of his RTI application.

Shri Mohammad Zubair, PIO/BDO Thanamandi. submitted that he has been given the additional charge of the BDO Thanamandi only on 17.08.2018 as Shri Mohd. Qasim, BDO Thanamandi. has proceeded on leave. The present PIO also submitted that on the date of filing of RTI application, Shri Mohammad Sageer was posted as Block Development Officer, Thanamandi. and he is now posted as Assistant Director, CAPD Poonch. After the transfer of Shri Mohammad Sageer, Shri Mohammad Qasim was posted as

BDO Thanamandi, who has also proceeded on leave. Shri Mohammad Zubair, PIO, Block Development Officer, Thanamandi holding the additional charge assured the Commission that he will provide the balance information to the appellant within a period of 15 days.

The appeal is disposed of with the directions to the PIO, BDO Thanamandi to furnish the complete information to the appellant within a period of 2 weeks from the date of receipt of this order. In case, the information is not furnished to the appellant within the said period, the appellant shall be at liberty to file complaint before the Commission against the PIO. Registry is also directed to issue show cause notice upon Shri Mohammad Sageer, the then PIO/BDO, Thanamandi and now Assistant Director, CAPD Poonch and also upon Shri Mohammad Qasim, BDO Thanamandi (now on leave) as to why penalty proceedings should not be initiated against them for not furnishing information to the appellant within the stipulated period of time in terms of Section 7(1) of the RTI Act. Both these former PIOs should be directed to file their written reply within a period of 15 days and also appear before the Commission on the date fixed for hearing of penalty proceedings against them.

Sd/-  
(Mohammad Ashraf Mir)  
State Information Commissioner

No. SIC/J/A/28/2018

Dated. .09.2018

Copy to the:

1. FAA, Assistant Commissioner Development Rajouri for information.
2. PIO, Block Development Officer, Thanamandi for information and compliance.
3. Shri Munshi Khan R/o Khorī Saroor, Tehsil Thanamandi, District Rajouri.
4. Office file.

(Zaheer Abbas)  
Assistant Registrar  
State Information Commission