



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/J/A/15/2018

Decision No. SIC/J/A/15/2018/ 272

Appellant: Shri Lekh Raj,
S/o Sh. Swami Raj,
R/o Goli Bagh,
Tehsil & District, Doda.

Respondents: 1. Director,
Rural Development Department,
Jammu.
(First Appellate Authority)

2. Assistant Commissioner Development, Doda.
Block Development Officer, Bhagwah.
(Public Information Officers)

Date of Registration: 17-04-2018

Date of Decision : 23-07-2018

FINAL ORDER

In the present case, the appellant Sh. Lekh Raj had sought information from Assistant Commissioner Development, Doda seeking details about the Technical Assistants who have framed the Bills other

than MG NAREGA, GRS/VLW , MG NAREGA Accounts and also information as to how Technical AssistantS have been given the charge of more than one Panchayat, through his RTI Application 21-11-2007. The Assistant Commissioner , Revenue transferred the RTI Application under section 6(3) of the RTI Act to all the BDO's of the district for providing information directly to the appellant.. Subsequently, the appellant filed first appeal with the Director, Rural Development Department on 05-02-2018 alleged therein that the information has not been provided to the appellant by the concerned BDOs. The First Appellate Authority disposed of the first appeal vide his order dated 27-03-2018 directing the Assistant Commissioner Development, Doda to provide information to the appellant within 10 days. The appellant finally filed 2nd appeal before the State Information Commission on 02-04-2018 on the ground that the PIO is delaying and denying the information intentionally and, therefore, prayed that the Assistant Commissioner Development , Doda be directed to provide information to the applicant as soon as possible and necessary action be taken against him for delaying the information to the appellant.

Proceedings before the State Information Commission:- The appeal came up for hearing before the Commission on 22-05-2018. The appellant was

not present. On behalf of the respondents, PIO/ BDO, Bhagwah present. He informed that the appellant has sought information in respect of all Blocks of District Doda and that almost all the BDO's barring a few have furnished the information to the appellant. He also assured that the rest of information would be provided to the appellant within a weeks time. The hearing was accordingly adjourned and appellant was directed to be present on the next date of hearing .

The appeal again came up for hearing before the Commission on 25-06-2018. The appellant was again absent during the hearing. Joint Director, Rural Development Department, Jammu and BDO, Bhagwah were present on behalf of the respondents. The PIO/BDO, Bagwah submitted that the entire information as sought by the appellant has been furnished to him through registered post. He also produce a copy of postal receipt in support of his claim of having dispatched the information to the appellant. In order to give one more opportunity to the appellant to present his case and file a rejoinder in respect of the information furnished to him, the hearing was adjourned.

The appeal once again came up for hearing before the Commission today on 23-07-2018. The PIO/ BDO, Bagwah was present during the hearing. However, the appellant was absent as usual. BDO Bagwah submitted that the entire information has been furnished to the appellant in respect of all Blocks of District, Doda. Since the appellant was not present, the claim made by BDO Bagwah remained unrebutted. The continuous absence of the appellant during all the hearing before the Commission indicate that the appellant has either received the information and satisfied with the same or else he is not interested in perusing this appeal any further. The appeal is accordingly disposed of and shall be consigned to records after completion of necessary formalities.

(Mohammad Ashraf Mir)
State Information Commissioner

No:-

Date:-

Copy to the :-

1. First Appellate Authority (FAA)/ Director, Rural Dev. Deptt., Jammu.
2. Public Information Officers /Asth. ACD, Doda and BDO, Bhagwah , Jammu.
3. PS to SIC for information of HSIC.
4. Sh. Iekh Raj R/o Goli Bagh, Tehsil & Distt. Doda.
5. Office File.

Joint Registrar,
State Information Commission.