



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/57/2018

Decision No. SIC/J/A/57/2018/326

Final Order

(Second Appeal)

Appellant : Sh. Tariq Hussain Sheikh.

Respondents : First Appellate Authority (FAA)/
Assistant Commissioner (Development)
[AC (D)], Doda and
Public Information Officer (PIO)/
Block Development Officer (BDO), Gandoh
(Bhalessa).

Date of Registration : 07.06.2018.

Date of Decision : 18.09.2018.

Brief Facts:

This appeal has originated from the RTI application filed by the appellant Sh. Tariq Hussain Sheikh on 17.03.2018 with the PIO/BDO, Gandoh (Bhalessa) seeking information with respect to thirteen schemes being implemented by the PIO. Later on, he filed First Appeal with AC (D), Doda on 26.04.2018, submitting thereunder that no information has been provided to him by the PIO. On 21.05.2018, the appellant filed second appeal before the State Information Commission (SIC) submitting thereunder that no information has been provided to him by the PIO in

response to his RTI application and also that the First Appeal has not been disposed of by the AC (D), Doda. He accordingly prayed that a direction be given to the PIO to provide complete information to the appellant.

Proceedings:

The appeal came up for hearing before this Commission today on 18.09.2018. The appellant and the PIO were scheduled to be heard through Video Conferencing from NIC, Doda. However, due to technical hitch in the internet access, they were heard through voice call. The appellant reiterated his stand that no information has been provided to him by the PIO in response to his RTI application dated: 17.03.2018. The representative of the PIO Mr. Dev Raj, S.O. in the BDO office submitted that the PIO could not attend the hearing as he is presently on leave. He, however, submitted that the appellant has sought voluminous and huge information through his RTI request dated: 17.03.2018. He was accordingly requested vide communication dated: 18.04.2018 to have inspection of records instead of seeking copies of the information sought. He also informed that prior to the present RTI application, the appellant had submitted similar application and in response to the said RTI request, he was asked by the PIO on 22.02.2018 to have inspection of the records in view of huge volume of information sought. However, the appellant has not availed the opportunity of having inspection of records on both occasions.

After going through the RTI application filed by the appellant on 17.03.2018, the Commission also felt that the information sought was huge

and voluminous and copying of the same would divert the resources of the public authority disproportionately. Right to information also includes inspection of documents/records in terms of section 2(i) of the J&K RTI Act, 2009.

Decision:

The appeal is disposed of with a direction to the PIO/BDO, Gandoh to fix a date for inspection of records and communicate the same to the appellant. The PIO is also directed to facilitate inspection of records by the appellant on the date so fixed mutually with the appellant and provide access to every document/file with regard to which the information has been sought by the appellant.

Copy of the decision be given free of cost to the parties.

Sd/-

(Mohammad Ashraf Mir)
State Information Commissioner

No: SIC/J/A/57/2018_____

Dated:

Copy to:

1. FAA/Assistant Commissioner (Development), Doda for information.
2. PIO/Block Development Officer, Gandoh (Bhalessa) for information and necessary action.
3. Private Secretary to SIC for information of the HSIC.
4. Appellant/Sh. Tariq Hussain Sheikh, R/o. Gurekrah, Tehsil Gandoh, District Doda for information.
5. Office file.

(Zaheer Abbas)
Assistant Registrar
J&K State Information Commission