



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. 0194-2484269, 2484262
www.jksic.nic.in

File Nos: i) SIC-K/Comp/33/2013
ii) SIC-K/Comp/35/2013

Decision No: SIC-K/Comp/35/2013/68

Title: Sh. Showkat Ahmad Dar, v/s Principal DIET,
s/o Ab. Rehman Dar Bandipora
(Complainant) **(Respondent)**

Present: 1. Shri Tariq Hussain, Vice-Principal DIET Bandipora.
2. Shri Shabir Ahmad Raina, ACR Bandipora.
3. Shri Showkat Ahmad Dar, Complainant.

Srinagar
12.08.2013

The Commission received a complaint 10.07.2013 from Shri Showkat Ahmad Dar s/o Ab. Rehman Dar r/o Khamyar Tehsil Pattan stating that under RTI Act he asked some information from District Development Commissioner Bandipora (Chairman Zilla Lok Shiksha Samiti Bandipora) vide Registered letter dated 30.05.2013 but till date he got no information from the said office regarding his RTI application.

Records reveal that an RTI application has been filed by the complainant addressed to District Development Commissioner (Chairman Zilla Lok Shiksha Samiti Bandipora), District Bandipora on 30.05.2013 seeking information on 14

points on prescribed format. This RTI application has been transferred by ADC Bandipora to PIO DDC Bandipora under letter dated 16.06.2013.

In his reply/counter statement dated 03.08.2013, Deputy Commissioner Bandipora has submitted that the matter was immediately discussed on phone with Principal DIET Bandipora and he was apprised about the information sought by the applicant. Meanwhile Chief Planning Officer was also advised to take up the matter with the Principal DIET so that desired information is provided to the applicant. Thereafter, Principal was reminded regarding said information vide letter dated 12.07.2013 who informed that the requisite information has been handed over personally to the candidate on 23.06.2013 against proper receipt and in proof thereof a copy of receipt has been enclosed. Thereafter, a copy of desired information has also been furnished to the complainant vide letter No. DCB/1940 dated 03.08.2013 through Speed Post.

The Commission has noted that the complainant has also sought same set of information on the same format on the same date i.e., 30.05.2013 from Principal DIET/Member Secretary, ZLSS Bandipora and the complaint in both the cases are dated 08.07.2013 received in the Commission on 10.07.2013. Obviously, this is a case of multiple applications seeking same information from different Public Authorities. Shri Tariq Hussain, Vice-Principal DIET Bandipora appeared before the Commission and produced copy of another RTI application filed before Director School Education Kashmir on 30.05.2013 seeking same information. It is therefore obvious that information seeker has filed same application before three different Public Authorities.

Vice Principal DIET Bandipora clarified that after compilation of information it was sent to CEO Bandipora, who is the designate PIO of the Education Department under letter dated 21.06.2013 with copy marked to the concerned candidate. He submitted that a set of information was handed over to the information seeker on 23.06.2013 and produced a receipt thereof but,

complainant denied to have received any such information by him. However records enclosed with the reply of DC Bandipora reveal that same RTI application filed before Principal DIET Bandipora has been disposed on 21.06.2013 by sending response to all the queries to the CEO-designated PIO with copy to concerned. Therefore RTI application under reference has been disposed of within prescribed period. The same set of information has again been sent through Speed Post by the Office of Deputy Commissioner Bandipora on 03.08.2013.

The Commission has taken a serious note for filing multiple RTI applications by the complainant seeking same the information from three Public Authorities. It appears that he has done so with malafide intentions to unnecessary over-burden/harass the Public Authorities. The plea of the complainant that he filed multiple applications because he did not receive any response defies logic in view of the fact that these applications have been filed concurrently on the same date without waiting for response within prescribed period. He has thus misused the provisions of RTI Act. On being pointed out and confronted with facts the complainant admitted the mistake and tendered written apology before the Commission.

A set of information already given is again handed over to the complainant during hearing. Since complainant has apologized to the Commission, same is accepted with warning not to misuse the RTI Act in future.

This disposes of two complaints registered in the Commission under No. 33 and 35 dated 10.07.2013.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the: -

1. District Development Commissioner Bandipora.
2. Principal DIET Bandipora.
3. Shri Showkat Ahmad Dar s/o Ab. Rehman Dar r/o Khamyar Tehsil Pattan

(M.S. Bhat)
Deputy Registrar,
J&K State Information Commission