

As per records, RTI application received by the Office of ZEO Beerwah on 29.06.2013 has been transferred to Head Master BMS Kullhama advising him to submit point wise information within two days to the office of ZEO so that same is submitted to the concerned well in time.

Mohammad Abdullah Dar, Head Master Middle School Kullhama appeared and submitted that Shri S. Baljit Singh, ZEO Beerwah Zone is on leave. Head Master submitted that the RTI application has been responded by him by providing information through Registered Post on the address of information seeker on 13.08.2013. ZEO Beerwah Shri Abdul Ahad submitted that the information send through Registered Post has been returned by the Post Office as undelivered.

Perusal of communication dated 13.03.2013 of Head Master BMS Kullhama has responded to all the 19 queries of the RTI application by sending the information on the address of information seeker on 13.08.2013 through Registered Post and produced postal receipt in this regard before the Commission. A copy of the information has been sent to ZEO Beerwah also.

From above it is evident that Head Master Beerwah has disposed of the RTI application within stipulated period under the Act and has sent his response/information through prescribed mode of service. However, prima facie, there is initial delay on the part of ZEO in disposing the RTI application in his capacity as PIO. ZEO Beerwah (PIO) is directed to explain within two weeks as to why proceedings under section 17 of the Act shall not be initiated against him for delay in disposing/transferring the RTI application.

The Commission has noted that the information has been sent through Registered Post on 13.08.2013 on the address of the information seeker and the complaint of alleged non-receipt of any have been filed on 05.09.2013. However,

as per facts brought on record, the RTI application has been responded to by providing information through proper mode of service well before filing of the complaint.

Since information is available in the Office of ZEO Beerwah, the information seeker may take this information if he so desires against proper receipt.

The complaint is accordingly disposed of.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the: -

1. ZEO Beerwah, Budgam.
2. Shri Javeed Ahmad Dar s/o Mohd. Sultan Dar r/o Kullhama, Khansahib, Budgam.

(G.Q. Bhat)
R e g i s t r a r
J&K State Information Commission