

loading point to destinations, rate per Cft amount adjusted with certified copies of vouchers.

- II) Allotment made from CCF for issuance of dry/fallen timber from forests to grantees of inaccessible areas. Certified copies of applications received from 20.11.2011 to 12-13.
- III) Certified copies of vouchers adjusted from divisional office against O/E from 2010-11 to 12-13.
- IV) Timber sanctions issued from divisional office and sanction implemented against each A, B & C zone depots for the year 2010-11 to 12-13.
- V) Amount drawn on account of stacking of timber from timber sale depots for the year 2010-11 to 12-13 with certified copies of vouchers adjusted.
- VI) Certified copies of enumeration and marking lists of Ningli range compartments for the year 2012-13.
- VII) Scheme wise compartment wise details of all works carried out under State/District/CAMPA/CM's participation programme for the year 2010-11 to 12-13 with certified copies of approved programme and vouchers adjusted.
- VIII) Details of fire wood extraction (compartment wise) and dispatches, rate per Qtl. amount booked with certified copies of vouchers from the year 2010-11 to 12-13.
- IX) Details of Checking's conducted in the forests (compartment wise) with reference to damage enlisted, officials involved, recovery orders issued and effected from the year 2010-11 to 12-13.

As the RTI application dated 14.06.2013 enclosed with the complaint, the Commission took cognizance of this application and issued notices accordingly.

In response to the notice of the Commission dated 10.09.2013, DFO submitted that the RTI application under reference has been disposed of by him vide letter No.DFO/RTI/2013/32-33 dated 26.09.2013 stating that the information sought by the information seeker is very exhaustive comprising of more than 7500 pages. He has accordingly asked the information seeker to deposit an amount of Rs.15,000/- for Photostat charges and produce T.R. in this behalf. This communication has been sent to the information seeker under registered post on 27.09.2013, receipt of the same was shown to the Commission in original. Obviously, PIO has passed the above order under Section 7(3) of the RTI Act asking the information seeker for payment of further fee representing cost of providing information. However, the Commission has noted that this order has been passed after the expiry of the mandatory period and therefore, no such fee can

be charged as provided under Section 7(6) of the RTI Act. Therefore, the orders passed by PIO on 26.09.2013 is not valid in so far as payment of fee is concerned.

The Commission while taking note of the comment of PIO/DFO Bandipora that the information required is exhaustive, was asked to pass a fresh order under Section 7(a) of the Act within a week and submit compliance report to the Commission.

DFO Bandipora did not attend the hearing as he was deputed to conduct final examination of Forest Guards. Sh. Muzaffar Ahmad Rather representing DFO Bandipora produced documentary evidence of disposal of RTI application by DFO Bandipora on 05.10.2013 addressed to the information seeker as under:-

“The Hon’ble State Information Commissioner, J&K Srinagar has issued certain directions to the undersigned upon personal appearance before him on 01.10.2013 as required vide notice quoted in the reference above.

In continuation to this office No. DFO/Bpr/RTI/2013/132-33 dated 26.09.2013 I am to inform you that the information sought by you is voluminous and exhaustive. After considerable efforts this office is pleased to provide you the required information as far as following points are concerned:-

- 1. Enumeration/Marking conducted in the year 2010-11 to 2012-13 showing volume extracted and dispatched agency wise, depot wise.**
- 2. issuance of dry/fallen timber from forests to grantees of inaccessible areas. Copies of application forms.**
- 3. Timber sanctions issued from Divisional Office (Lists)**
- 4. Enumeration/Marking list of Ninglee Range compartments from 2012-13.**
- 5. Scheme wise compartment wise details of all works carried out under State/District/CAMPA/CM’s participation programme for the year 2010-11 to 2012-13 with certified copies of approved programme.**
- 6. fire wood extraction and dispatches.**

As far as the other information is concerned, it would divert the resources of this office disproportionately besides, being detrimental to the safety and preservation of the records in question under Section 7(9) of RTI Act, 2009.

However, if you are aggrieved, even after this painstaking endeavor of this office, you are at liberty to file an appeal before the Ist Appellate Authority viz. Conservator of Forests, Srinagar Circle; Srinagar within the stipulated period of 30 days as provided under Section 16(1) of the J&K RTI Act, 2009.”

The information comprising of 48 leaves has been enclosed with the order of the PIO referred to above. This information has been sent through Registered Post on 07.10.2013 and information seeker also informed Registrar of the Commission that full information with details have been provided by the PIO and that he is satisfied with the information. He has further stated that in view of the above the complaint lodged by him is taken back and withdrawn.

Since the DFO has complied with the order of the Commission and the information seeker has expressed satisfaction on the information sought, the complaint filed before the Commission is hereby disposed of.

Sd/-

(Nazir Ahmed)
State Information Commissioner

Copy to the:-

1. Divisional Forest Officer Bandipora, Forest Division Chitternar.
2. Sh. Nazir Ahmad Malik S/o Ab. Razak Malik R/o Kralpora Bandipora

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