



J&K State Information Commission
(Constituted under Right to Information Act 2009)
Old Assembly Complex, Srinagar, Fax No. 0194-2484269, 2484262
Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937
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File No: SIC/J/A/304/2013
Decision No: SIC/J/A/304/2013/04

Sh. Jasvit Singh	Appellant	Present
Sh. Raman Kumar Kesar Chief Executive Officer Patnitop Development Authority, Kud, Distt. Udhampur.	FAA	Present
Sh. Parbodh Sharma Executive Engineer Patnitop Development Authority, Kud, Distt. Udhampur.	PIO	Present

Jammu
10-01-2014

Briefly the facts in this appeal are that Sh. Jasvit Singh S/o Sh. Harcharan Singh R/o H.No. 162, Sector-3, Trikuta Nagar, Jammu moved an application dated 10-09-2013 under J&K Right to Information Act, 2009 before the PIO/Patnitop Development Authority, Kud, Distt. Udhampur whereunder he sought details of all legal and illegal constructions that are currently going on in entire Patnitop area including Pachote, Padora Enclave, Karlah and Kassal Ghoom etc.

The PIO did not provide the information within the statutory period as mandated under the Act. Feeling aggrieved of inaction on the part of the PIO the information seeker preferred 1st appeal dated 28-10-2013 before the FAA, Patnitop Development Authority, Kud which has not been adjudicated and disposed of till date. Thus, feeling aggrieved of inaction on the part of the PIO as well as the FAA, the appellant knocked the doors of the Commission by filing 2nd

appeal dated 10-12-2013. The matter was listed for hearing on 10-01-2014 at Jammu office of the Commission.

During the course of proceedings held today, the PIO and FAA apprised the Commission that the RTI application of the information seeker was vague and unspecific as it did not contain the specifications of the constructions about whom the information was sought and inspite of the fact that the RTI application of the information seeker was vague and unclear, the information was prepared as per office record and has been sent to the information seeker under a registered cover. The information seeker has also acknowledged the receipt of the same and apprised the Commission that the information provided to him is as per his RTI application and expressed satisfaction about the same. The perusal of the facts in this appeal show that there was no malafide or intentional delay on the part of the PIO/FAA for not adhering to the statutory time frame as laid down in the RTI Act. The delay is purely circumstantial and it was due to the fact that the information seeker has not been specific about the information he has sought in the RTI application.

In view of the aforesaid facts and observations no further direction in the matter is required as the information available in office record stands furnished to the information seeker.

The appeal is accordingly disposed of.

Notice of this decision be given free of cost to the parties.

Sd/-

(Dr. S.K. Sharma)

State Information Commissioner

Copy to: -

1. 1st Appellate Authority/ Sh. Raman Kumar Kesar, Chief Executive Officer, Patnitop Development Authority, Kud, Distt. Udhampur.
2. Public Information Officer/ Sh. Parbodh Sharma, Executive Engineer, Patnitop Development Authority, Kud, Distt. Udhampur.
3. Sh. Jasvit Singh S/o Sh. Harcharan Singh R/o H.No. 162, Sector-3, Trikuta Nagar, Jammu.

(Khalid A. Shah)

Dy. Registrar,

State Information Commission