



Jammu and Kashmir 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

www.jksic.nic.in

File No: SIC/J/A/298/2013

Decision No: SIC/J/A/298/2013/05

Sh. Jeep Lal	Appellant	Present
Sh. Showkat Hyat Matoo Block Development Officer Kishtwar.	PIO	Present

Jammu
15-01-2014

Briefly the facts in this appeal are that Sh. Jeep Lal S/o Sh. Jodh Ram Sharma R/o Bhandera, Tehsil & Distt. Kishtwar moved an application dated 01-08-2013 under J&K Right to Information Act, 2009 before the PIO/Block Development Officer, Drabshalla wherein he sought certain information relating to MGNREGA works in Panchayat Bhutna Churiyana, Sangana, Hiloor & Shandri and copies of Invoice from 2009 to till date.

The information was not provided to the information seeker within the statutory period as laid down in the RTI Act, 2009. Thus, feeling aggrieved of inaction on the part of the PIO, the information seeker filed 1st appeal dated 28-09-2013 before the FAA/Director, Rural Development Department, Jammu which was disposed of vide order No. DRDJ/RTI-338/2013/14808-12 dated 02-11-2013 with a direction to BDO, Drabshalla to provide the requisite information to the

appellant within 10 days free of cost. The BDO, Drabshalla was also warned to be careful in future while dealing the cases pertaining to J&K RTI Act. However, no information was provided to the information seeker as directed by the FAA. The information seeker filed 2nd appeal dated 02-12-2013 before the Commission, whereunder he alleged non supply of information and non compliance of the order of the FAA. The matter was listed for hearing on 15-01-2014 at Jammu office of the Commission and both the parties were present. The PIO/BDO, Drabshalla apprised the Commission that due to law and order problem in Kishtwar District and also due to non-availability of the office staff. The requisite information as sought by the information seeker could not be furnished to him within the statutory period. Moreover, the information sought was voluminous in nature and required the scrutiny of record of various panchayats etc. The PIO/BDO, Drabshalla further submitted that there is no deliberate or intentional delay on his part in denying the information to the information seeker rather he acted reasonably and diligently in the matter as the information had to be collected and prepared from the office record pertaining to various panchayats in Block Drabshalla. The PIO/BDO, Drabshalla also furnished the receipt wherein the information seeker has duly acknowledged the receipt of certain information provided to him by the PIO.

During the course of proceedings, the appellant requested the Commission that he may be allowed an opportunity to inspect the record in the office of BDO, Drabshalla which was conceded by the later. In the given circumstances, PIO/BDO, Drabshalla is hereby directed to allow an opportunity to the appellant to inspect the record in his office on a working day and provide photocopies of the relevant documents free of cost if any, required by the information seeker. Parties are at liberty to settle the date and time for inspection of record which may be convenient to them.

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 the:-

4. Public Information Officer / Block Development Officer, Drabshalla, Distt. Kishtwar.
5. Sh. Jeep Lal S/o Sh. Jodh Ram Sharma R/o Bhandera, Tehsil & Distt. Kishtwar.

(Khalid. A. Shah)

Dy. Registrar

State Information Commission