



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/332/2013

Decision No. SIC/J/A/332/2013/35

Title

Shri Jasvit Singh

(Appellant)

V/S

1. PIO, Patnitop Development Authority.

2. First Appellate Authority / CEO,
Patnitop Development Authority.

(Respondents)

7th February, 2014

Jammu.

The Commission received an appeal on 23-12-2013 under J&K RTI Act, 2009 from Shri Jasvit Singh S/o Shri Harcharan Singh R/o H.No. 162, Sector-3, Trikuta Nagar, Jammu, stating that he had filed an RTI application before PIO, Patnitop Development Authority, Kud, Jammu on 10-09-2013 under receipt no. 193 dated: 10-09-2013. However, the PIO failed to provide the information within 30 days, as provided under section 07 of the Act. It is submitted that aggrieved by the non action of PIO, he preferred an appeal before the First Appellate Authority, Patnitop Development Authority on 28-10-2013, which appeal too was not disposed of.

Accordingly he prayed before the Commission to direct the PIO to provide information and also impose penalty on him for not performing his statutory duties.

As per RTI application enclosed, the information sought is as under;

“ As per the report of the Committee appointed by the Hon’ble High Court, Jammu in WPPIL No. 1053/2004 during the year 2005; the information seeker wants to know the

names of the hotels and guest houses those who have done violations and to what extent. Also, what actions have been taken by the PDA against the same and what is the present status of these hotels and guest houses.”

During the proceedings, the appellant admitted in writing that he has received the information on 09-01-2014 and that he is satisfied with the information. His statement is taken on record. With regard to delay in disposing of RTI application, PIO explained that applicant had filed three RTI applications before PIO, Patnitop Development Authority. The information sought by information seeker being identical in all the three RTI applications, he was directed to deposit an amount of Rs. 3,000/0 (Rupees Three thousand only) as paper charges vide Letter No. PDA/BPC/112/486-487 dated: 31-10-2013. The PIO further submitted that information has now been provided to the appellant. His explanation is taken on record. Upon perusal of records of another appeal filed by the same appellant before PIO, Patnitop Development Authority, it is evident that letter dated: 31-10-2013 referred to in the explanation of the PIO has been received by the appellant. Therefore, the PIO has responded to this RTI application also, though after expiry of mandatory period. Now that information has been provided free of cost, no further action is warranted.

The Commission noted that the First Appellate Authority (CEO), Patnitop Development Authority has not disposed of the appeal and he failed to provide the reasons for not disposing of the appeal. The FAA is directed to ensure that in future any appeal filed before him is decided within the period prescribed under section 16 of the Act, else the matter shall be taken with the concerned authorities for appropriate action.

The appeal is disposed of with above observations.

Sd/-

(Er. Nazir Ahmad)

State Information Commissioner

Copy to the:

1. First Appellate Authority (CEO), Patnitop Development Authority.
2. Public Information Officer Patnitop Development Authority.
3. Shri Jasvit Singh S/o Shri Harcharan Singh R/o H.No. 162, Sector-3, Trikuta Nagar, Jammu (Appellant).

(Khalid Abdullah)

Deputy Registrar

J&K State Information Commission