



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/350/2013
Decision SIC/J/A/350/2013/57

Sh. Buti Ram	Appellant	Present
Sh. Mohd. Bashir Tehsildar Settlement, Jammu.	PIO	Present

**Jammu
20-02-2014**

Briefly the facts in this appeal are that Sh. Buti Ram S/o Sh. Dhani Ram R/o JMC-337, Vikas Lane, Talab Tillo, Jammu moved an application dated 20-07-2013 before the PIO office of Dy. Commissioner, Jammu under J&K Right to Information Act, 2009 whereunder he sought certain information in reference to his complaint application filed dated 30-10-2012. The information sought by the information seeker is as under:-

1. Copy of the report of Naib Tehsildar, Gole Jammu.
2. Copy of the action taken by Tehsildar Settlement, Jammu on the report of Naib Tehsildar, Gole Jammu

The RTI application of the information seeker was transferred by the PIO/Addl. Dy. Commissioner, Jammu to the PIO/Tehsildar Settlement, Jammu vide No:DCJ/PIO/RTI/2013-14/572-73 dated 25-07-2013. The information seeker feeling aggrieved due to inaction on the part of the PIO/Tehsildar Settlement, Jammu with regard to the non-providing of

information, filed 1st appeal dated 16-09-2013 before Dy. Commissioner, Jammu which was transferred to the FAA/Asstt. Commissioner Revenue Jammu and was disposed off vide order No:ACR/FAA/RTI/2013-14/17-19 dated 06-11-2013. The FAA observed in its order that the PIO/Tehsildar Settlement, Jammu has erred in providing complete information to the information seeker and directed him to provide the requisite information within two weeks to the information seeker. Accordingly, Tehsildar Settlement, Jammu furnished the requisite information to the information seeker. However, the information seeker was not satisfied with the information provided to him by the Tehsildar Settlement, Jammu filed second appeal dated 31-12-2013 before the Commission which was listed for hearing on 20-02-2014 at Jammu office of the Commission. Both the parties were present. The Tehsildar Settlement, Jammu filed counter statement bearing No:STJ/PIO/RTI/2013-14/184 dated 27-01-2014 in which he has submitted that the information as available in office record has been provided to the information seeker. The PIO/Tehsildar Settlement, Jammu also admitted that while forwarding the information, the dealing Asstt. inadvertently mentioned 4-11-2013 instead of 5-11-2013 on the order for supply of information. The PIO further submitted that to his utter surprise, the information was kept pending till 21-11-2013 by the dealing Asstt. who was directed to provide the information personally.

It is apparent from the aforesaid facts that there is delay in furnishing the information to the information seeker. However, it does not bespeak of any malafide on the part of the PIO/Tehsildar Settlement, Jammu in denying the information to the information seeker. The delay is purely circumstantial and of administrative nature which has to be avoided while disposing off RTI applications. The PIO/Tehsildar Settlement, Jammu is hereby warned to remain careful in future and act with circumspection while disposing of RTI matters and follow the statutory deadline for

disposal of applications as laid down in the Right to Information Act, 2009. The appellant also admitted during the course of proceedings that he has received the requisite information and as such no further direction in the matter is required.

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. The First Appellate Authority/Asstt. Commissioner Revenue, Jammu.
5. Public Information Officer /Tehsildar Settlement, Jammu.
6. Sh. Buti Ram S/o Sh. Dhani Ram R/o JMC-337, Vikas Lane, Talab Tillo, Jammu

(Khalid A Shah)
Dy. Registrar,