



Jammu and Kashmir State information Commission
(Constituted under The Right to Information Act, 2009)
Wazarat Road, Near DC office Jammu, 0191-2520947, 2520937
Old Assembly Complex, Srinagar. 0194-2484269, 2484262
www.jksic.nic.in

File No: SIC/J/A/152/2012
Decision SIC/J/A/152/2012/93 A

Sh. Rajeshwar Singh Jamwal	Appellant	Present
Dr. G.J. Singh Assistant Commissioner (R), O/o Deputy Commissioner, Jammu.	APIO	Present

Jammu
24.01.2013

Commission vides its Decision No. SIC/J/A/152/2012/352 dated 18-10-2012 directed the PIO to get the concerned file traced out from the records and provide the information to the information seeker which must be complete in all respects and also inconformity with his RTI application within two weeks from the date of pronouncement of this order under an intimation to the Commission.

Whereas, the Commission received a complaint dated 23-11-2012 from Sh. Rajeshwar Singh Jamwal S/o Sh. Ranbir Singh Jamwal R/o Village Sunchani P/O Rahyal Samba alleging therein the non-compliance of the aforesaid order. After receiving the complaint for non-compliance of the order of the Commission, a notice bearing no. SIC/J/A/191/2012/6153 dated 13-12-2012 was issued to the AC(R) / PIO O/o Deputy Commissioner, Jammu to send counter reply to the Commission within 7 days of receipt of the notice. The case was listed for hearing on 03-01-2012 and during the course of proceedings, the PIO informed the Commission that the concerned file is not traceable in the office records despite best and sincere efforts put up by his staff. The PIO was directed to file a counter statement explaining the status of the file within a week's time. The PIO in compliance with the aforesaid direction of the Commission filed a counter statement vide no. ACR/RTI/2012-13/3691 dated 05-01-2013 containing six leaves as enclosures. In

the counter statement the PIO has submitted that pursuant to the directions from the Commission efforts to trace the file were redoubled but after scrutiny of the record of all the Readers the said file could not be traced out. The applicant was also requested to cooperate in the efforts to trace the file, but that also did not yield any result thus, a reply was submitted to the applicant in this regard. He further submitted while referring to SRO-59 dated 03-02-1997 and Modification vide SRO-511 dated 19-11-1999 and SRO-127 dated 21-04-1988, that the jurisdiction was passed to the Joint Agrarian Reforms Commissioner in Jammu and Srinagar Districts therefore, in absence of a dispatch letter the probability of the files lying in the other office may be explored.

During the course of proceedings held today the PIO also filed an affidavit in support of the counter statement and the same has been brought on file for reference and record. In view of the aforesaid facts, the Commission is of the considered view that the PIO and his staff has made sincere efforts in tracing out the file which remains untraceable and apparently there seems to be no lapse or negligence on the part of the PIO in complying with the directions of the Commission

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. Assistant Public Information Officer / Assistant Commissioner (R), O/o Deputy Commissioner, Jammu.
2. Sh. Rajeshwar Singh Jamwal S/o Sh. Randir Singh Jamwal R/o Vill. Sunchani P/o Rahyal Samba.

(Khalid A. Shah)
Assistant Registrar
State Information Commission