



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-91/2013
Decision No: SIC-J-A/91/2013/133

Sh. Chain Singh	Appellant	Absent
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Sh. Anil Thakur BDO, Assar.	PIO	Present
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Jammu
21-05-2013

Briefly the facts in this appeal are that Sh. Chain Singh S/o Jhari Lal R/o Chaka Kundi Tehsil and Distt. Doda moved an application dated 15-03-2012 under J&K Right to Information Act, 2009 before the PIO / Block Development Officer, Assar seeking the following information:-

- 1. Section plan, Expenditure and detail of expenditure, Attendance roll, Labour sheet, Attendance sheet etc.*
- 2. MGNREGA, SGSY, NRLM and CD plan schemes (B.R.G.F and other uses in the Panchayat Halqa Chakka A-1 for the period of ending March 2010, 2011 and 2012.*
- 3. All Finance used in Panchayat & Halqa Chakka A-1 through Block, Assar, Section plan of amount and expenditure amount detail dated 2009, 2010 and 2011 and plan copy 2012-2013 given for MGNREGA and other sanctioned work.*

The PIO asked the information seeker vide office letter no. 478 dated 14-08-2012 to deposit an amount of Rs. 14,250/- as cost of the information. However, the applicant failed to deposit the same. But, the applicant was allowed an opportunity by the PIO / BDO, Assar to inspect the record in his office on 25-08-2012 and after inspecting the record, he expressed his satisfaction and acknowledged in a receipt dated 25-08-2012 that he does not need any kind of record and requested for disposal of his application. However, after the lapse of about 5 months, the information seeker preferred an appeal against PIO / BDO, Assar dated 09-02-2013 before the FAA / Director, Rural Dev. Department, Jammu. The FAA disposed of the 1st appeal vide order no. DRDJ/RTI-207/22068-71 dated 22-02-2012 and observed therein that the appellant informed in his written statement that he had verified the record and was satisfied with the information provided by the PIO / BDO, Assar. The 1st Appellate Authority also observed that the appeal was filed after five months which was not maintainable under J&K RTI Act, 2009 being time barred. The appellant challenged the aforesaid order of the FAA before the Commission alleging therein that he has not been heard by the FAA and moreover, BDO, Assar has influenced the FAA by inserting baseless documents in his name. Keeping in view the aforesaid facts and circumstances it is apparent that the information seeker had availed an opportunity of inspecting the record in the office of BDO, Assar and was satisfied with the same. However, during the course of proceedings held today the BDO, Assar assured the Commission that in case the information seeker is interested in seeking the information, he is prepared to provide him free of cost, provided he visits the office on any working day with the request to obtain the same.

In view of the assurance given by the BDO, Assar, the information seeker is hereby directed to approach the office of BDO, Assar within a week's time from the date of receipt of this order to obtain the information requested by him. The BDO, Assar is also directed to provide the requisite

information to the information seeker as available in office record and free of cost under an intimation to 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 the:-

5. Sh. Anil Thakur, Block Development Officer, Assar.
6. Sh. Chain singh S/o Jhari Lal R/o Chaka Kundi Tehsil and Distt. Doda.
7. Guard file.

Jang Bhadur

Joint Registrar

State Information Commission