



Jammu and Kashmir State Information Commission
(Constituted under Right to Information Act 2009)
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Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937
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File No: SIC-J-A-77/2013
Decision No: SIC-J-A/77/2013/160

Sh. Harjeet Singh	Appellant	Present
Sh. Anil Raina Sr. Town Planner, Jammu Development Authority, Jammu.	PIO	Present
Sh. M.L Sharma, Retd. Naib Tehsildar, On behalf of Director, Land Management, PIO Jammu Development Authority, Jammu.		Present

Jammu
19-06-2013

Briefly the facts in this appeal are that Sh. Harjeet Singh R/o H. No.138, Sector 11, Lane No. 2, Nanak Nagar, Jammu moved an application dated 25-09-2012 under J&K RTI Act, 2009 before the PIO Jammu Development Authority, Jammu seeking certain information relating to Mass House Building Cooperative Society and their project Royal Apartment and Royal Floor for construction of flats at Top-Sharkhani, Tehsil and District Jammu.

The PIO after receiving the application of the information seeker forwarded the same to the Chief Town Planner/JDA and Director, Land Management, JDA Jammu for furnishing point wise reply as asked by the applicant in his RTI application. The DLM, JDA vide his No:JDA/DLM/R/993 dated 27-09-2012 intimated that the information pertains to CTP section. Whereas CTP, JDA vide his letter No:CTP/JDA/BPC/339 dated 01-10-2012 intimated that the information pertains to DLM section. In response to the reply furnished by the CTP/DLM JDA Jammu, the PIO informed the Vice Chairperson vide office letter No:Secy/JDA/287/584 dated 11-10-2012 that neither CTP nor DLM are responding to the RTI application forwarded to both the officers and thus expressed his inability to provide information to the information seeker within stipulated period of time. Thus applicant could not get any response from the PIO and filed Ist appeal before the FAA. The FAA during the course of proceedings held on 18-03-2013, asked Sr. Town Planner, JDA on telephone in presence of RTI applicant to furnish the requisite information to the information seeker. The CTP vide office letter No: CTP/JDA/BPC/712-13 dated 07-05-2013 informed Secretary/PIO JDA, Jammu that information sought by the applicant stands already submitted vide office letter No: CTP/JDA/BPC/339 dated 01-10-2012. The PIO had also sent some information to the information seeker vide office No; Secy/JDA/RTI/395/102-03 dated 30-04-2013 under registered cover which was returned as undelivered with the remarks that addressee had left without address. During the course of proceedings held today the information seeker was furnished a set of documents submitted by CTP, JDA Jammu vide office letter NO:CTP/JDA/BPC/718 dated 09-05-2013 , Secretary/PIO vide letter NO: Secy/JDA/RTI/132 dated 10-05-2013 and DLM, JDA vide office letter NO:JDA/DLM/HQA/116-118 dated 13-05-2013. The information seeker was also furnished a set of documents on last date of hearing i.e. 24-05-2013 and was advised to go through the information

provided to him. However, the during the course of proceedings held today, the information seeker apprised the Commission that the information furnished to him so far is incomplete and incorrect and not as per his RTI application and requested the Commission that he may be allowed an opportunity to inspect the record in the office of JDA. In order to ensure fairness and transparency in the functioning a public authority, it would be appropriate in the given circumstances to allow the information seeker an opportunity to inspect the record.

In view of the aforesaid facts, both the FAA as well as PIO/Secretary, JDA Jammu are hereby directed to allow the information seeker a facility to inspect the record during office hours on any working day convenient to both the parties. The information seeker is also directed to contact PIO and settle date and time for inspection of record. The PIO is further directed to provide photocopies of the relevant documents if any required by the information seeker free of cost and also file compliance report 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 :

1. The First Appellate Authority/Vice-person, JDA, Jammu.
2. The Public Information Officer/Secretary, JDA, Jammu.
3. The Public Information Officer/Director, Land Management, JDA Jammu.
4. The Public Information Officer/Sr. Town Planner, JDA Jammu.
5. Sh. Harjeet Singh R/o H. No.138, Sector 11, Lane No. 2, Nanak Nagar, Jammu

(K.A Shah)
Dy. Registrar
J&K State Information Commission