



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/C/48/2013
Decision SIC/J/C/48/2013/262

S. Mohan Singh	Complainant	Present
Block Development Officer, Vijaypur.	PIO	Absent

Jammu
12-09-2013

Briefly the facts in this complaint are that S. Mohan Singh S/o Late Kishan Singh R/o Village Nai Basti, P.O Ramgarh, Tehsil and District Samba moved an application dated 21-02-2013 under J&K Right to Information Act, 2009 before the PIO /Assistant Commissioner Development, Samba in which he has stated that a drain has been illegally constructed on his land and requested for investigation into the matter. The Assistant Commissioner Development, Samba vide office letter No:ACDS/2012-13/120/9347-49 dated 27-02-2013 forwarded the application of the information seeker to the Block Development Officer, Vijaypur directing him to furnish the requisite information to the applicant directly within the stipulated time. The BDO Vijaypur vide No:BDO/V/2013-14/1409-11 dated 2-07-2013 informed the Commission that the requisite information has already been furnished to the information seeker and Assistant Commissioner Development, Samba vide office letter No: BDO/V/2012-13/2545-48 dated 6-10-2012, BDO/V/2012-13/3336-40 dated 29-11-2012 and BDO/V/2013-14/831-36 dated 8-6-2013. As per aforesaid letter of BDO Vijaypur addressed to the Commission the land of the information seeker falls at the disputed site. So the

lane can not be constructed unless and until the Revenue Department clarifies the status of land. The work of lane shall be undertaken as soon as the status of the said land is made clear by the Revenue Department. The RTI application of the information seeker pertains to redressal of a grievance relating to construction of drain on a land which is a disputed site whose status needs to be clarified by the Revenue Department. The information seeker is advised to approach the Revenue Department for redressal of grievance.

The BDO Vijaypur failed to cause his appearance before the Commission despite the fact that he was informed about the date of hearing vide office notice No:SIC/J/C/48/2013/3491-92 dated 30-08-2013. The Commission's office also informed him telephonically on 11-09-2013 about the date of hearing. The BDO Vijaypur has thus failed to comply with the direction of the Commission to attend the hearing on 12-09-2013 (10.30 a.m) at Jammu office. He is hereby directed to show cause why the fine under section 15 of the J&K RTI Act, 2009 read with Code of Civil Procedure, Samvat 1977 shall not be imposed upon him for his failure to cause his appearance before the Commission within 10 days from the date of receipt of this order.

The complaint 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. Public Information Officer / Block Development Officer, Vijaypur.
2. S. Mohan Singh S/o Late Kishan Singh R/o Village Nai Basti, P.O Ramgarh, Tehsil and District Samba.

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