



J&K 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/186/2013

Decision SIC/J/A/186/2013/285

Sh. Swami Raj	Appellant	Present
Sh. Anil Koul Addl. Dy. Commissioner, Doda.	PIO	Present

**Jammu
21-09-2013**

Briefly the facts in this appeal are that Sh. Swami Raj S/o Sh. Sehaj Ram R/o Tondwa near Para Mount School, Doda moved an application dated 26-03-2013 under J&K Right to Information Act, 2009 before the PIO / Addl. Dy. Commissioner, Doda seeking the following information relating to construction of Link Road from Tondwa to Nai Basti-Doda town:-

- 1. The authority which initially mooted the proposal for construction of the above link road.*
- 2. Whether this proposal stood approved in District Development Board meeting? If so when?*
- 3. Total funds allotted for this purpose?*
- 4. Name of the beneficiaries from construction of this link road . Their address may also be given?*
- 5. Name and address of persons whose land was acquired with quantum of said amount.*
- 6. Whether compensation stood paid to the concerned individuals. The amount paid in respect of each person.*
- 7. What was the length and breadth proposed of the said link road.*
- 8. As the said road falls within the Doda Municipality limit whether the said authority was approached for getting the said link road constructed.*

9. *The actual authority directed to construct the said link road and the sum of amount placed at their disposal giving of it.*
10. *Whether some persons have objected to the construction of this road due to which the said road could not be completed yet?*
11. *Whether there is paucity of funds for this purpose or not & sufficient funds were allotted to constructing authority.*
12. *Whether the alignment of the said link road is straight or any person given undue advantage by not touching his land/building due to which there had to be given vent to the straight construction of the road about which the road construction plan stood approved by Land Acquisition Authority.*

The PIO/ADC, Doda transferred the application of the information seeker to Assistant Commissioner Revenue, Doda vide office letter no. 862/RTI dated 26-03-2013. The Asstt. Commissioner (Revenue), Doda provided the requisite information to the Additional Deputy Commissioner, Doda on 30-04-2013 and the same was sent to the appellant vide office letter no. 51/RTI Dated 04-05-2013. However, the ACR, Doda informed the ADC, Doda vide office letter no. 144/Acq dated 30-04-2013 that the information sought pertains to LAC Section for Q.No. 4,5,6,7 & 10 and other queries do not pertain to his office. The information seeker was also provided the remaining information pertaining to Revenue Department which was received from ACR, Doda vide office letter no. 445/Acq dated 06-06-2013 which contained copy of Dasti Shajra/field book which otherwise had not been issued to the appellant within the statutory period due to indefinite strike of Patwaries/Girdawars. However, the information seeker was not satisfied with the information provided to him, preferred 1st appeal dated 27-05-2013 before the Deputy Commissioner, Doda. The perusal of the facts and documents on record show that the 1st appeal has not been adjudicated and disposed of by the FAA.

Thus feeling aggrieved of inaction on the part of the FAA, the appellant preferred 2nd appeal dated 25-07-2013 before the Commission in which he has requested interalia that respondent no. 1/PIO O/o Additional Deputy Commissioner, Doda be directed to make available the requisite

information sought by the appellant through his application point wise. The contention of the information seeker for point-wise reply of his RTI application being genuine in the facts and circumstances of the matter in hand and the PIO is under a statutory obligation to answer correctly as per the office record.

In view of the aforesaid facts and circumstances, the PIO/ADC, Doda is hereby directed to furnish the revised information point wise as requested by the appellant in his RTI application and as per the record available in the office within 10 days from the date of receipt of this order 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:-

3. Public Information Officer / Sh. Anil Koul, Addl. Deputy Commissioner, Doda.
4. Sh. Swami Raj S/o Sh. Sehaj Ram R/o Tondwa near Para Mount School, Doda.

(Khalid. A. Shah)
Dy. Registrar
State Information Commissioner