



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/199/2013

Decision No: SIC/J/A/199/2013/314

S. Kulbir Singh	Appellant	Present
Sh.Naresh Kumar Secretary, Municipal Corporation, Jammu.	PIO	Present
Sh. Anil Kumar Raina I/c Senior Town Planner Jammu Development Authority, Jammu.		Present

Jammu

09-10-2013

Briefly the facts in this appeal are that S. Kulbir Singh S/o Late S. Teja Singh R/o 53-B/10, Guru Nanak Nagar, Jammu moved an application dated 05-04-2013 under J&K RTI Act, 2009 before the PIO/Assistant Commissioner @ office Jammu seeking certain information regarding NOC No. DCJ/SQ/BPC/3020 dated 24-03-2005 issued in favour of M/S KC Motors, Bye Pass Road Jammu.

Since the information sought by the information seeker pertained to building permission cases, the Assistant Commissioner Revenue Jammu vide letter No:DCJ/SQ/BPC/2013-14/322-24 dated 23-04-2013 forwarded the same to the office of the Joint Commissioner, JMC and Senior Town

Planner, Jammu Development Authority for providing the information to the applicant under an intimation to his office. The Addl. Dy. Commissioner, Jammu vide office letter No:DCJ/PIO/RTI/2013-14/833-34 dated 19-09-2013 informed the Commission that the original building permission cases as per practice prior to on-line filing were forwarded to the offices where they have been received viz. Municipal Corporation/JDA. On the basis of aforesaid letter, notices were issued to Joint Commissioner, JMC and Senior Town Planner, Jammu Development Authority, Jammu to remain present on next date of hearing alongwith office record.

However, during the course of proceedings, the PIO/Secretary, Municipal Corporation, Jammu informed the Commission that the FAA/Commissioner Municipal Corporation Jammu vide order No:MCJ/Estt/259-63 dated 06-04-2013 held that as per SRO 291 dated 09-09-2003, Khasra No. 219 in village Thangar does not fall within limits of JMC and it pertains to JDA. Thus, it is evident from the aforesaid order and submissions made by the PIO before the Commission that the matter in question pertains to JDA. Sh. Anil Kumar Raina, Senior Town Planner, Jammu Development Authority, Jammu appeared before the Commission and was provided a copy of the RTI application of the information seeker on his request that he has not received the same in his office.

In view of the aforesaid factual position and observations, the Senior Town Planner/PIO Jammu Development Authority is hereby directed to dispose of the RTI application of the information seeker on merit after affording him an opportunity of being heard within ten 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:-

1. The First Appellate Authority/Commissioner, Municipal Corporation Jammu.
2. Public Information Officer /Secretary, Municipal Corporation Jammu.
3. Sh. Anil Kumar Raina, Senior Town Planner, Jammu Development Authority, Jammu .
4. S. Kulbir Singh S/o Late S. Teja Singh R/o 53-B/10, Guru Nanak Nagar, Jammu.

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