



**Jammu and Kashmir State Information Commission**

(Constituted under Right to Information Act 2009)

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**File No:** SIC-J-A-238 /2013

**Decision No:** SIC-J-A-238/2013/328

Sh. Jagdish Kumar                      Appellant                      Present

Dr. Shubhra Sharma                      PIO                      Present  
Chief Executive Officer,  
Jammu Urban Development Agency,  
Jammu.

**Jammu  
23-10-2013**

Briefly the facts in this appeal are that Infosys Eyes Computer Institute, Dream City Muthi, Jammu moved an application dated 07-05-2013 under RTI Act, 2009 before the PIO/ Jammu Urban Development Agency, Jammu seeking the following information:-

1. Please intimate me what action has been taken to my representation submitted Ref. No. 1404 on 02-03-2013 communicated through Speed post No. EE-849406860 dated 02-03-2013.
2. Please let me know which sort of diploma will be issued by the Institutes to whom the allotment of students for imparting of one Year training has been sponsored by JUDA for the session 2013-2014.
3. Please let me know on what ground the allotment of students for imparting of training in computer and other trades has been ignored to my institute which is duly recognized by the GOI and J&K Government respectively for which I have made a number of requests being I have already imparting training in computer and

other trades previously for which JUDA has made allotment for the last more than 7 years.

4. Please intimate me on what basis the allotment of students for imparting of training in different trades for six months has been allotted to different institutes on what criteria these allotment has been made for the session 2013-2014.

The PIO/CEO JUDA vide office No:JUDA/2013/269 dated 1-06-2013 informed the information seeker that as per Section 3 of RTI Act, the right to information is available only to the persons residing in the State of J&K whereas it is not clear whether Infosys Eye is a person residing in the State as such no evidence has been adduced. However, without prejudice to the position stated above, reply to the application of the information seeker was provided as under:-

*"Furnishing reply to the query raised is not mandated under RTI Act, 2009"*

The above said reply was communicated to the information seeker for all the rest of queries raised by him in RTI application. Feeling aggrieved of the reply or response provided by the PIO, the information seeker filed appeal dated 29-06-2013 under section 16 of the J&K RTI Act, 2009 before the Commissioner/Secretary to Government, Housing and Urban Development, J&K Government, Srinagar.

Perusal of the record shows that the appeal filed by the appellant has not been adjudicated and disposed of till date. Thus, feeling aggrieved of inaction on the part of the FAA, the appellant knocked the doors of the Commission by filing complaint dated 23-09-2013 under section 15 of the RTI Act, 2009 against the respondents. The complaint of the information seeker was treated as an appeal under Section 16 of the RTI Act, 2009. After going through the contents of the RTI application and hearing the appellant, the Commission is constraint to observe that the queries raised by the information seeker in his RTI application are vague and unspecific

and this may be due to ignorance and lack of knowledge on the part of the appellant about the provisions of the RTI Act. Had he been specific and precise in framing the queries/questions, the PIO would have generously answered the same? However, keeping in view the basic philosophy and spirit of the RTI Act, it would be pertinent to observe that ignorance on the part of the information seeker should not be a ground to deny him the information.

During the course of proceedings held today, the RTI application of the information seeker was discussed threadbare and the PIO was advised to furnish the revised information as available in the office record maintained by JUDA. The PIO in her magnanimity agreed to refurnish the information.

In view the aforesaid facts and observations, the PIO is hereby directed to furnish the revised information to the information seeker as available in office record 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 :

1. The First Appellate Authority / Commissioner/Secretary to Government, Housing and Urban Development, J&K Government, Srinagar.
2. Public Information Officer /Chief Executive Officer, JUDA.
3. Infosys Eyes Computer Institute, Dream City Muthi, Jammu.
4. Guard file.

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