



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. 0191-2520970, 2520937

www.jksic.nic.in

File No: SIC/J/C/59/2013

Decision No: SIC/J/C/59/2013/338

Sh. Mohd. Arif	Complainant	Absent
S.Sukh Pal Singh DPO Rajouri, Addl. Charge of Block Development Officer, Buddhal Rajouri.	PIO	Present

Jammu

31-10-2013

Briefly the facts in this complaint are that Sh. Mohd. Arif S/o Alam Din R/o Rehan, Block Buddhal moved an application dated 09-04-2013 before the PIO/ Block Development Officer, Buddhal Rajouri under J&K RTI Act, 2009 seeking the following information:-

1. Copy of Annual Plan under MGNREGA session 2011-2012 and 2012-13.
2. Copy of invoice passed along with account No. of beneficiaries and amount released individually under MGNREGA during 2011-12 and 2012-13
3. Total amount released during 2012-13 and 2011-12 alongwith their account No. and names under MGNREGA.
4. Total amount released during 2012-13 and 2011 -12 alongwith the name and status of works with status of beneficiaries.
5. Mode of payment during 2011-12 and 2012-13.
6. Total material issued alongwith list of work against which material issued during 2011-12 and 2012-13 in panchayat.

The PIO did not provide the requisite information to the information seeker within the statutory period. Thus, feeling aggrieved of inaction on the part of the PIO, the information seeker approached the FAA i.e Director Rural Development Department, Jammu on 23-07-2013 against the PIO/BDO Budhal Rajouri under J&K RTI Act, 2009. The FAA while disposing of the appeal vide order NO:DRDJ/RTI-292/2013/8608-12 dated 01-08-2013 directed the PIO (BDO Budhal) Rajouri to provide the required information to the appellant within 10 days free of cost through registered post. However, the information seeker filed a complaint before the Commission alleging therein that BDO Budhal has not provided him the requisite information till date. After receiving the complaint of the complainant, the matter was listed for hearing on 15-10-2013. On the said date of hearing, BDO Budhal failed to appear before the Commission and direction was issued to him through Registry of the Commission to remain personally present on next date of hearing alongwith office record. The matter was again listed for hearing on 31-10-2013. S. Sukhpal Singh DPO Rajouri who is holding the additional charge of BDO Budhal appeared before the Commission alongwith office record. The PIO/BDO Budhal requested the Commission that he has recently taken over the Addl. charge of BDO Budhal and immediately after taking over the charge he contacted the complainant several times and requested him to visit his office to inspect the record. However, the complainant has declined the request made to him for inspection of record. The PIO further submitted before the Commission that most of the information which has been sought by the complainant is available on the website of Rural Development Department and complainant can download the same from the website. The PIO further submitted that information sought is voluminous and its compilation will disproportionately divert the resources of his office which is having a meagre staff. The PIO requested that only remedy in this case is that the complainant may be directed to inspect the record and in case he requires the photocopy of the relevant documents, the same shall be provided to him free of cost.

Keeping in view the aforesaid facts and observations, the PIO is hereby directed to allow an opportunity to the information seeker to inspect the record

in his office. The PIO should inform the complainant telephonically as well as through a letter about the date and time of inspection of record in his office. Whereas information which can possibly be prepared from the office record may be furnished to the information seeker free of cost within 3 weeks from the date of pronouncement of this order. The complainant is also advised to refer to the website of Rural Development Department in order to download the requisite information as requested by him in his RTI application.

After hearing PIO/BDO Budhal the Commission is of considered opinion that there is no intentional delay or malafide on the part of present incumbent BDO Budhal for causing delay or denying the information to the complainant.

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. The First Appellate Authority/Director, Rural Development Department, Jammu.
2. Public Information Officer /S. Sukh Pal Singh, DPO Rajouri Addl. Charge of Block Development Officer, Budhal Rajouri.
3. Sh. Mohd. Arif S/o Alam Din R/o Rehan, Block Buddhal .

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