



Jammu and Kashmir State information Commission
(Constituted under The Right to Information Act, 2009)
Wazarat Road, Near DC office Jammu, 0191-2520947, 2520937
Old Assembly Complex, Srinagar. 0194-2484269, 2484262
www.jksic.nic.in

File No: SIC/J/A/237/2013
Decision SIC/J/A/237/2013/344

Sh.Mohd. Sadiq	Appellant	Present
Sh. Sher Singh Asstt. Commissioner (R), Jammu.		Present

Jammu
04-11-2013

Briefly the facts in this appeal are that Sh. Mohd. Sadiq R/o C-3 Village Enclave East Extension 1/C, Trikuta Nagar, Jammu moved an application dated 10-07-2013 under J&K RTI Act, 2009 before the PIO O/o Deputy Commissioner, Jammu seeking the following information :-

1. *Total land transferred under Roshni Act in District Jammu.*
2. *Names and address of persons in whose favour land has been transferred under Roshni Act in Jammu District.*
3. *Names of persons who failed to deposit fees till date.*
4. *Detail of land such as Khasra no. and proper location of land which has been transferred under Roshni Act for ownership rights.*

The appellant has alleged that the PIO did not provide the requisite information within the statutory period. Thus feeling aggrieved of inaction on the part of the PIO, the appellant preferred 1st appeal dated 19-08-2013 before the Deputy Commissioner, Jammu which has not been adjudicated and disposed of till date. Thus, feeling aggrieved of inaction on the part of the PIO as well as the FAA, the appellant knocked the doors of the Commission by filing appeal dated: 23-09-2013. After receiving 2nd appeal, the Commission vide office notice no. SIC/J/A/237/2013/3967 dated 01-10-2013 directed the PIO to send counter reply to the Commission within 7 days from the receipt of the notice. However, no

reply was received from the PIO and the matter was listed for hearing on 22-10-2013 at Jammu office of the Commission. The AC(R), Jammu could not cause his appearance before the Commission due to some official engagement and telephonically requested for adjournment. The matter was again listed for hearing on 04-11-2013. During the course of proceedings, AC(R), Jammu apprised the Commission that the information sought by the information seeker is voluminous in nature and will disproportionately divert the resources of the public authority hence, it is not possible to compile and collate the information and suggested that it would better serve the purpose if the information seeker is allowed an opportunity to inspect the record. The information seeker requested the Commission that he may be allowed to inspect the record of Niabat Bahu and Digiana.

Keeping in view the aforesaid facts and observations, the PIO / ADDC, Jammu is hereby directed to provide an opportunity to the information seeker to access the record in his office relating to Niabat Bahu and Digiana on any working day during office hours and in case the information seeker requires the photocopies of relevant documents that may be provided to him within two weeks from the date of receipt of this order under an intimation to the Commission. The parties are directed to settle the date and time for inspection of record which may be mutually convenient to both of them. The PIO/ADDC, Jammu is also directed to file compliance report to the Commission

The appeal is accordingly disposed of.

Notice of this decision be given free of cost to the part es.

Sd/-
Dr. S.K. Sharma
State Information Commissioner

Copy to the:-

3. Public Information Officer / Additional Deputy Commissioner, Jammu.
4. Sh. Mohd. Sadiq R/o C-3 Village Enclave East Extension 1/C, Trikuta Nagar, Jammu.

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