



Jammu and Kashmir 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/267/2013

Decision No: SIC/J/A/267 /2013/375

Sh. Jeep Lal Sharma	Appellant	Absent
Sh. K.L. Sharma	PIO	Present

Asstt. Commissioner Development
Kishtwar.

Jammu
29-11-2013

Briefly the facts in this appeal are that Sh. Jeep Lal Sharma S/o Sh. Jodh Ram Sharma R/o Bhandera, Tehsil & Distt. Kishtwar moved an application dated 20-03-2013 under J&K Right to Information Act, 2009 before the Assistant Commissioner Development, Kishtwar whereunder he sought the following information:-

- a. *Panchayat wise detailed information regarding beneficiaries under IAY Scheme in (Pyts. Falling under Inderwal Constituency) Block Kishtwar along with name, parentage and address of the beneficiary for the year 2008 to 2013. Also furnish details of amount received by the beneficiaries along with copy of invoices.*

Feeling aggrieved of inaction on the part of the PIO, the information seeker filed 1st appeal dated 12-06-2013 before the FAA/Director, Rural Development Department, Jammu. The appellant has alleged in his 2nd appeal before the Commission that the FAA directed him telephonically to collect the information from ACD, Kishtwar. During the course of proceedings held today, the PIO/ACD, Kishtwar apprised the Commission that the appellant was requested by BDO,

Kishtwar to deposit the cost of information which the appellant did not comply and rather wanted information free of cost which was not possible under rules for the public authority to provide. Moreover, the information required in this case was voluminous in nature and involved xeroxing of office record which would have run into several hundred pages. Thus, it would not have been possible for the BDO, Kishtwar to furnish the information to the information seeker free of cost. The PIO/ACD, Kishtwar also apprised the Commission that the information seeker attended the office of BDO, Kishtwar on 12-11-2013 for receipt of RTI reply and after perusal of the requisite record shown to him, he opted to withdraw his RTI application. The ACD, Kishtwar submitted letter vide no. BDOK/1583-85/2013 dated 16-11-2013 duly signed by the BDO, Kishtwar and also the withdrawal receipt duly signed by the appellant. Both these documents have been brought in file for reference and record. The office of the Commission contacted the appellant on telephone and inquired from him about the perusal of record and receipt of information by him. The appellant apprised the Commission that he has seen the record and is satisfied with the same and has thus voluntarily withdrawn his RTI application and is no more interested in pursuing the 2nd appeal filed before the Commission.

In view the aforesaid facts and observations, though it is apparent that the appellant has voluntarily withdrawn his RTI application, but the Commission feels that in case the appellant desires to inspect the record again, he may be given an opportunity to do the same. The BDO, Kishtwar is hereby directed to allow the appellant an opportunity to inspect the record in his office on a working day during office hours provided he receives the request from the appellant for the same and provide the copies of the relevant documents if any required by him.

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:-

1. Public Information Officer / Sh. K.L. Sharma, Asstt. Commissioner Development, Kishtwar.
2. Public Information Officer / Block Development Officer, Kishtwar.
3. Sh. Jeep Lal Sharma S/o Sh. Jodh Ram Sharma R/o Bhandera, Tehsil & Distt. Kishtwar.

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