



Jammu and Kashmir State Information Commission

جموں اینڈ کشمیر سٹیٹ انفارمیشن کمیشن

(Constituted under The Right to Information Act, 2009)

Wazarat Road Near D.C. Office, Jammu, Fax No. 0191-2520947, 2520927

Old Assembly Complex, Srinagar. Fax No. 0194-2484268, 2484269

www.jksic.nic.in

File No: SIC-J-A-12-2013
Decision SIC-J-A-12-2013/54

Sh. Shiv Shanker Sharma Complainant Present

Sh. Chand Kishore SharmaPIO Present
Block Development Officer,
Hiranagar.

**Jammu
08-03-2013**

Briefly the facts in this appeal are that Sh. Shiv Shanker Sharma R/o. Village Karyara, P.O & Tehsil Hiranagar moved an application dated 09-07-2012 under J&K State RTI Act 2009 before the PIO / Block Development Officer, Hiranagar seeking the following information:-

- 1. Construction of Lane at Village Karayara (Mohalla Mashan).*
- 2. Renovation/Desilting of Khul near land of Ganesh Dass and others at Karayara.*
- 3. Construction of Tractor road from Shiv Mandir to onward at Karayara.*
- 4. Construction of Culvert near land of Nek Ram and others at Karayara.*
- 5. Construction of Lane at Karayara from house of Bansilal to Middle School.*

Particulars of Information Required:-

- i) Photocopies of Muster Sheets/Muster Rolls on the basis of which payment has been made/authorized in each of the above noted works.*

ii) Photocopies of Resolution of Panchayat Members authorizing the engagement of specific labour in each case.

iii) Photo copies of Statement of Materials issued by the department in each case.

iv) Full name and other particulars of the Secretary Panchayat.

v) Name of other beneficiaries in case of works at serial No. 2 and 4

The PIO informed the information seeker vide letter no. BDO/Hgr/2012-12/752-53 dated 04-08-12 to remit an amount of Rs. 90/- @ Rs. 10/- per page into the treasury as cost of information. However, the cost of information demanded by the PIO could not be justified under prevalent rates and the information seeker accordingly remitted Rs. 18/- only into the treasury and sent the treasury receipt to the PIO vide letter no. SSP/82 dated 14-08-2012 explaining the justification of the amount remitted. The information seeker had not received any information after the remittance of the charges into the treasury and thus being aggrieved he filed appeal before the 1st Appellate Authority i.e. Director Rural Development Department, Jammu on 13-10-2012. The FAA listed the matter for hearing on 14-11-2012 and BDO/PIO, Hiranagar attended the hearing but the appellant could not attend the hearing because he did not receive notice of hearing in time. However while giving to the appellant another chance, the matter was again fixed for hearing on 23-11-2012. Both the PIO and the appellant were intimated the date of hearing by the Director Rural Dev. Deptt, Jammu vide office letter no. DRDJ/RTI/163/15941-43 dated 15-11-2012. The appellant has alleged that he did not receive the aforesaid letter which was delivered to him on 26-11-2012. The 1st Appellate Authority in its counter statement submitted that both the intimation/call letters were delivered well in time and on both the occasions the appellant was informed telephonically as well. However, the appellant has alleged that both the letters were delivered to him on 26-11-2012 and on both the occasions he wanted to talk to FAA telephonically and made several calls on the given telephone numbers at the schedule time/date of hearing, but

the attending officer never allowed him to contact the presiding officer (FAA).

During the course of proceedings, the BDO/PIO, Hiranagar informed the Commission that the requisite information was sent to the information seeker vide office letter no. BDO/Hgr/2012-13/2051 dated 15-11-2012. The self attested copies of the aforesaid information submitted by the information seeker alongwith 2nd appeal filed before the Commission is placed in the file for reference and record. While going through the contents of the aforesaid information, the information seeker pointed out certain discrepancies and inconsistencies which existed in the information provided to him and the PIO was also apprised of the same. The PIO assured the Commission that he will furnish the revised information to the information seeker within a week's time.

In view of the aforesaid facts, the BDO/PIO, Hiranagar is hereby directed to furnish the revised information to the information seeker free of cost as per his RTI application and office record within a week's time from the date of pronouncement of this order and file a compliance report 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 the :

1. 1st Appellate Authority / Director Rural Development Department, Jammu.
2. Public Information Officer / Block Dev. Officer, Hiranagar.
3. Sh. Shiv Shanker Sharma R/o. Village Karyara PO & Tehsil Hiranagar.

(M.S Shah)
Registrar,
J&K State Information Commission