



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/15/2013

Decision No: SIC/J/A/15/2013/57

Sh. Mohd Iqbal Seh	Appellant	Absent
Sh. Kishori Lal Sharma Assistant Commissioner of Development, Doda.	PIO	Absent
Sh. Tahir Malik Block Development Officer, Ghat, Doda.	PIO	Absent

Jammu

13.03.2013

Briefly the facts in this appeal are that Sh. Mohd. Iqbal Seh S/o Ab. Latif Seh R/o Shouran Dhar-B Panchayat Doda C/o Riaz Ahmed Thuker Fruit & Vegetable Merchants, Nehru Palace Shopping Complex, Doda moved an application under J&K RTI Act, 2009 before the PIO / Block Development Officer, Ghat, Doda. The said application was received in the office of BDO Ghat, Doda on 06-08-2012 in which the following information was sought:-

"Cheques issued 2011 & 2012 to under EGS, Payments drawn of skilled & un-skilled labour, List of Job Cards Old and New, Material utilized including skilled & un-skilled labour in Dhar B-Panchayat of the same period."

The perusal of the file shows that the BDO/PIO Ghat, Doda intimated to the applicant vide office letter no. BDO/G/RTI/2009/2012-

13/2049-50 dated 04-09-2012 for depositing an amount of Rs. 7,000/- (Seven thousand only) on account of fees as copying charges. The information seeker failed to deposit the requisite fees as intimated by the PIO / BDO Ghat, Doda inspite of the fact that same has been reduced from Rs. 10/- to Rs. 2/- for each page (in A-4 or A-3 size paper) created or copied after amendment of J&K RTI Rules vide SRO-279 dated 30-08-2012. The information seeker has further requested the PIO/BDO Ghat, Doda vide his application dated 21-09-2012 for inspection of record. The PIO / BDO Ghat, Doda submitted before the 1st Appellate Authority that appellant was informed through Sh. Salim Wani, VLW for inspection of record but appellant failed to attend the office of PIO/BDO Ghat, Doda for inspection of record.

However, the appellant preferred appeal dated 05-11-2012 before the 1st Appellate Authority instead of inspecting the record as was advised by PIO/BDO Ghat, Doda. The 1st Appellate Authority i.e. Director Rural Development Department, Jammu heard and disposed of the appeal after affording several opportunities to the appellant to appear before it, but the information seeker refused to attend the hearing and informed the FAA that he will not attend the hearing as he has already filed a complaint in State Information Commission, Jammu. The FAA disposed of the appeal vide order no. DRDJ/RTI-165/16918-22 dated 04-12-2012 with a direction to the PIO(BDO Ghat), Doda to provide the requisite information to the appellant within 10 days after charging the copying fee as admissible under J&K RTI Rules amended vide SRO-279 dated 30-08-2012.

The aforesaid judgment and order of the FAA needs no interference as it is based on facts and decided on merit. However, in view of the facts mentioned above the appellant is advised to approach the office of PIO / BDO Ghat, Doda for inspection of record and PIO/BDO Ghat, Doda is directed to allow the appellant a facility to access the record in case the appellant approaches him for the same after charging the requisite fee as admissible under J&K RTI Rules amended vide SRO-279 dated 30-08-2012. Sh. Kishori Lal Sharma, Assistant Commissioner Development,

Doda was informed by Smt. Anuradha Abrol, Sr. Stenographer in the office of the Commission about the date of hearing but he (ACD, Doda) expressed his inability to attend the hearing with the request that govt. has issued instructions not to leave the station. The request of ACD, Doda being genuine and based on facts was allowed.

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. Public Information Officer / Sh. Kishori Lal Sharma, Assistant Commissioner of Development, Doda.
2. Public Information Officer / Sh. Tahir Malik, Block Development Officer, Ghat, Doda.
3. Sh. Mohd. Iqbal Seh S/o Ab. Latif Seh R/o Shouran Dhar-B Panchayat Doda C/o Riaz Ahmed Thuker Fruit & Vegetable Merchants, Nehru Palace Shopping Complex, Doda.
4. Guard File.

(Jang Bhadur)
Joint Registrar
State Information Commission