



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/198/2012
Decision No SIC/J/A/198/2012/64

Sh. Pritam LalAppellant Present

Sh. Nagendra Singh JamwalPIO Present
Sub Divisional Magistrate,
Akhnoor.

Sh. Vijay Sharma, Present
Tehsildar, Akhnoor.

20-03-2013

Sh. Pritam Lal S/o Sh. Baij Nath R/o New Basti Thathi Sungal, Tehsil Akhnoor, District Jammu filed an application dated 21-12-2012 alleging therein the non-compliance of Commission's decision No: SIC/J/A/198/2012/395 dated 27-11-2012 on the ground that the information provided to him by the PIO was incomplete and incorrect and not based on facts. On receiving the complaint for non-compliance from the information seeker the Commission vide office letter No SIC/J/A/198/2012//824-25 dated 14-02-2013 directed the PIO to file counter statement. In compliance to the Commission's direction, the PIO filed counter statement vide his letter NO:SDM/Akh/12-13/2228 dated 01-03-

2013. In the counter statement, PIO submitted that points raised by the information seeker in his RTI application for non-compliance dated 21-12-2012 are not part of the original application dated 20-07-2012. As such the question of non-compliance under RTI Act does not arise. However, Tehsildar, Akhnoor was directed vide office letter NO:SDM/Akh/12-13/2143-44 dated 16-02-2013 to provide whatever information was desired by the applicant within stipulated time period. He further submitted that in-compliance to the Hon'ble State Information Commissioner, J&K Jammu decision No: SIC/J/A/198/2012/395 dated 27-11-2012, the requisite information stands provided to the applicant vide letter No. SDM/Akh/12-13/1765-68 dated 12-12-2012. He further submitted that in pursuance to the abovementioned decision to fix the responsibility, explanations of Tehsildar Akhnoor, Naib Tehsildar Akhnoor and Patwari concerned were called and the case for initiating disciplinary action against them has been forwarded to Deputy Commissioner, Jammu vide office letter No :SDM/Akh/12-13/2193-94 dated 21-02-2013.

During the course of proceedings, PIO submitted another letter bearing No: SDM/Akh/12-13/2311-14 dated 18-03-2013. Perusal of the aforesaid letter and counter statement filed by the PIO amply demonstrate that the information as sought by the information seeker in his RTI application and as available in office record has been provided to him. The aforesaid decision for which non-compliance has been filed stands duly complied with. The Commission is of the view that the PIO has acted rather diligently and reasonably in the matter and provided the requisite information to the information seeker as sought by him in his RTI application.

The complaint for non-compliance is dismissed.

Notice of this decision be given free of cost to the parties.

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

Copy to :-

1. First Appellate Authority / Deputy Commissioner, Jammu.
2. Public Information Officer / Sub Divisional Magistrate, Akhnoor.
3. Tehsildar Akhnoor.
4. Sh. Pritam Lal S/o Sh. Baij Nath R/o New Basti Thati Sungal, Tehsil Akhnoor District Jammu.

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

NB: (In any correspondence on this decision, please mention the complete decision number)