



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-29/2013

Decision No: SIC-J-A/29/2013/79

Sh. Abdul Rashid Magray	Appellant	Absent
Mohd. Rafiq Bhat Divisional Forest Officer, Marwah.	PIO	Present

**Jammu
08-04-2013**

Briefly the facts in this appeal are that Sh. Abdul Rashid Magray S/o Abdul Gani Magray, Village Nowpachi, Tehsil Marwah, District Kishtwar at present residing at H.No. 305-A, Talab Khatikan, Jammu moved an application dated 08-11-2012 under J&K Right to Information Act, 2009 before the PIO office of the Commissioner/Secretary, Forest Department, Civil Secretariat Jammu seeking the following information:-

- i. *Provide details of all the works done under different categories during the year 2008 to 2012 in the Marwah Forest Division.*
- ii. *How much amount from the Govt. Treasury was withdrawn during the year 2008 to 2012 for different works done in the Marwah Forest Division?*
- iii. *How many bridges were constructed in the Marwah Forest Division during the year 2008 -2012? Provide copies of attendance sheets and how much amount was spent on each bridge showing name of bridge and location.*
- iv. *How much works have been executed under Forest Development Agency (FDA) during the last five years and provide details of expenditure and also provide copies of labour sheets.*
- v. *From Margan Top to Nowpachi Marwah how much marking of trees have done till date. Forest department at its own doing work of*

extraction of timber and its carriage. Why tenders are not being invited?

- vi. *Provide copies of sanctioned project report compartment-wise alongwith names of Range officers/Block Officers in whose presence said works have been executed and mention the period of posting of said officers/officials.*

The RTI application of the information seeker was forwarded to the PIO office of Chief Conservator of Forest, Jammu vide letter no. FST/RTI/66/ID No. 0063/2012 dated 19-11-2012 with the request to provide the requisite information to the applicant directly, within the stipulated time as prescribed under the J&K RTI Act, 2009. The aforesaid application of the information seeker was further forwarded by the PIO office of Chief Conservator of Forest, Jammu to Divisional Forest Officer / PIO, Marwah vide office letter no. CCF/Estt/RTI/706/2550-52 dated 24-11-2012.

The information seeker in his 2nd appeal dated 08-02-2013 has alleged that the information was not provided by the PIO / DFO, Marwah within the stipulated time thus compelling him to file 1st appeal before the FAA / Additional Secretary to Government dated 24-12-2013. In response to his appeal, the FAA / Additional Secretary to Government has conveyed telephonic instructions on 31-12-2012 for remittance of Rs. 40/- to the address of PIO / DFO, Marwah and accordingly the information seeker remitted the said amount by demand draft under registered cover to DFO, Marwah on 01-01-2013. Meanwhile, the FAA / Additional Secretary to Govt. Forest Department disposed of 1st appeal of the information seeker on 22-01-2013 with the directions to the information seeker to visit the office of DFO / PIO, Marwah and remit the required fee being framed by the DFO / PIO, Marwah and get the information collected accordingly. The information seeker vide his 2nd appeal addressed to the Commission has alleged that the information provided by DFO, Marwah vide his office letter no. 2135-36-07/MFD dated 08-01-2013 is insufficient and not based on factual figures and is after thought. Moreover, the order of the PIO bearing no. 2206-07/FMD dated 19-01-2013 whereby the information seeker was directed to visit the office of PIO / DFO, Marwah and deposit an amount of Rs. 16,500/- in order to collect the information is not based on facts and is baseless as he has been ordered to pay the amount as cost of information only after preferring 2nd appeal before the Commission.

However, the information seeker vide his letter dated 01-04-2013 informed the Commission that DFO, Marwah contacted him telephonically on 22-03-2013 for

attending his office and delivered him the required information which he had asked in his RTI application and now he is not interested in pursuing the appeal filed before the Commission and requested that the appeal filed by him may kindly be consigned to records. The aforesaid letter has been placed on the file for reference and record. During the course of proceedings, the PIO informed the Commission that the information as requested by the information seeker has been furnished to him.

Keeping in view the aforesaid facts, it is apparent that the information as sought by the information seeker has been provided to him free of cost and thus no further direction in the matter is required.

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