



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/C/10/2013

Decision No. SIC/J/C/10/2013/84

Sh. Raman Sharma Complainant

Dr. Ravi Shankar SharmaPIO
Addl. Deputy Commissioner,
Jammu.

**Jammu,
09-04-2013**

Briefly the facts in this appeal are that Sh. Raman Sharma R/o K-236 Mast Garh, Jammu moved an application dated 17-09-2012 under J&K RTI Act, 2009 before the PIO office of Deputy Commissioner, Jammu seeking the following information:-

- a) *Total number of licenses issued by District Magistrate Jammu under J&K Cinematography Act, 1989 to cinema theatres for public exhibition of films and movies for the last three years.*
- b) *Details of action taken by District Magistrate, Jammu on violation of Section 3, 4 and 5 of J&K Cinematography Act, 1989 during last three years.*
- c) *Provide the copy of list of members of Board of Film Censors alongwith their designations and tenure, as enshrined in J&K Cinematography Act, 1989.*
- d) *Provide the list of orders alongwith numbers and date if any, passed by the state govt. vide section 7,8 and 9 of J&K Cinematography Act, 1989.*

The information seeker in his complaint dated 14-02-2013 filed before the Commission has alleged that no information till date has been provided to him by the PIO and the PIO has also not intimated him about his right to file an appeal before the FAA. He further alleged that the situation created due to inaction on the part of PIO constrained him to file

the complaint before the Commission rather than preferring an appeal before the 1st Appellate Authority. The information seeker has also prayed that the Commission may after verifying the facts initiate appropriate action against the respondent as enshrined in the RTI Act.

Dr. Ravi Shankar Sharma, Addl. Deputy Commissioner, Jammu / PIO appeared in person before the Commission and informed the Commission that the information was dispatched by ordinary post vide office letter no. DCJ/PIO/RTI/2012-13/3080 dated 17-10-2012 to the information seeker. He has also submitted a letter bearing no. DCJ/misc//12-13/4693 dated 17-10-2012 addressed to PIO / Additional Deputy Commissioner, Jammu by Jr. Assistant Misc. Section containing the information as requested by the information seeker in his RTI application. Both these letters have been placed in the file for reference and record.

Sh. Raman Sharma the information seeker has vehemently denied in his complaint the receipt of any such communication from the office of PIO / Addl. Deputy Commissioner, Jammu and has alleged that the information has been deliberately denied to him. The allegation leveled by the information seeker being serious in nature needs to be inquired into by a public authority.

Keeping in view the sensitivity of the matter, Deputy Commissioner, Jammu is hereby directed to hold an inquiry in order to fix up the responsibility of any official if found guilty of causing delay in furnishing the information to the information seeker and also initiate / recommend disciplinary action against the official concerned under Service Rules as applicable to him. The Deputy Commissioner, Jammu is further directed to file compliance report to the Commission within one month from the date of receipt of this order. Registrar is directed to endorse the copy of this order to Deputy Commissioner, Jammu / FAA for further necessary action at his end.

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

Copy to the:

1. 1st Appellate Authority / Deputy Commissioner, Jammu.
2. Public Information Officer / Sh. Ravi Shanker Sharma Addl. Deputy Commissioner, Jammu.
3. Sh. Raman Sharma R/o K-236 Mast Garh Jammu.
4. Guard file.

M.S Shah
Registrar,
State Information Commission