



**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](http://www.jksic.nic.in)

\*\*\*\*\*

**File No:** SIC-J-A-39/2013

**Decision No:** SIC-J-A/39/2013/89

Sh. Abdul Rashid Magray	Appellant	Present
Assistant Commissioner Development, Kishtwar.	PIO	Absent

Jammu.  
15-04-2013

Briefly the facts in this appeal are that Sh. Abdul Rashid Magray S/o Abdul Gani Magray Village Nowpachi, Tehsil Marwah District Kishtwar moved an application dated 08-11-2012 under J&K Right to information Act, 2009 before the PIO office of the Commissioner/Secretary, Rural Development Department, Civil Secretariat Jammu seeking the following information:-

*Provide details of material components utilized in District Kishtwar, Block wise/Panchayat wise including name, parents and address of beneficiaries in whose names cheques were issued, Cheque number with date and amount of cheque for the period 2010 to 2012 under MGNREGA.*

The aforesaid application of the information seeker was forwarded to PIO/Directorate of Rural Development Department, Jammu by Under Secretary to Government, Department of Rural Development & P.R vide office letter No:RD/Adm/RTI/55/2012 dated 16-11-2012. The PIO, Directorate of Rural Development Department, Jammu further forwarded this application to PIO/Assistant Commissioner Development, Kishtwar vide office letter No:DRDJ/RTI/2012/169/16074-75 dated 19-11-2012 requesting therein to furnish the information directly to the information seeker within stipulated time.

The Information seeker has alleged in second appeal filed before Commission that information provided to him by the PIO was incomplete and misleading. The information seeker had also preferred appeal before the First Appellate Authority i.e Director, Rural Development Department, Jammu. The Ist appeal of the appellant was disposed of by the FAA vide order No: DRDJ/RTI-191/19506-09 dated 10-01-2013. A copy of the aforesaid order was also endorsed to the information seeker. The FAA observed inter-alia as under :-

*"whereas giving consideration to the request of the PIO, (ACD Kishtwar) it is hereby ordered that PIO, (ACD Kishtwar) to provide the additional information/remaining information free of cost through registered post to the appellant within 20 days and be careful in future while dealing the cases pertaining to RTI Act, 2009."*

Perusal of the record shows that the PIO furnished partial information to the information seeker through registered post vide

letter No: ACDK/2012-13/9044-53 dated 05-01-2013. Whereas, regarding the rest of information, PIO, (ACDK) had requested the FAA to grant sufficient time as the information sought by the information seeker was voluminous in nature. The PIO was contacted telephonically on 12-04-2012 and he was informed by Smt. Anuradha Abrol Sr. Stenographer in the office of the Commission that the matter was listed for hearing on 15-04-2013. However, the PIO requested that he has been transferred and the new incumbent is likely to join on 15-04-2013 and sought exemption from personal appearance before the Commission. Accordingly, the request of the PIO being genuine was allowed.

In view of the aforesaid facts, Assistant Commissioner Development, Kishtwar/PIO is hereby directed to provide rest of the information to the information seeker within 3 weeks from the date of pronouncement of this order under an intimation to the Commission. The information seeker is also directed to adhere to the norms, spirit and philosophy of the RTI Act, 2009 whose main objective is to promote transparency and accountability in the working of every public authority to contain corruption and to hold Government and its instrumentalities accountable to the governed. The information 4seeker is hereby advised to remain cautious in future while filing an RTI application and he should request only for specific and pointed information which must not be voluminous in nature. The perusal of the RTI application of the information seeker shows that he has sought information pertaining to 8 Blocks in Kishtwar district falling under MGNREGA for the year 2010-2011 and 2011-2012. Request for

voluminous information disproportainatly diverts the resources of a public authority and is contrary to the mandate of the Act.

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. First Appellate Authority / Director, Rural Development Department, Jammu.
2. Public Information Officer / Assistant Commissioner Development, Kishtwar.
3. Sh. Abdul Rashid Magray S/o Abdul Gani Magray Village Nowpachi, Tehsil Marwah, District Kishtwar.
4. Guard file.

(M.S Shah)  
Registrar  
State Information Commission