



## 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

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File No: SIC/J/A/238/2012

**Decision No:SIC/J/A/238/2012/95**

Sh. Chain Singh	Appellant	Present
Sh. T.P Singh Assistant Director, Consumer Affairs & Public Distribution, Ramban	PIO	Present
Sh. Ashwani Sharma Tehsil Supply Officer, Batote.	APIO	Present

### **Jammu** **17-04-2013**

Briefly the facts in this appeal are that Sh. Chain Singh S/o Jhari Lal R/o Chakka Kundi, Tehsil and District Doda moved an application dated 21-05-2012 under J&K RTI Act, 2009 before the PIO/ Tehsil Supply Officer, Batote seeking the following information:-

*List of APL & BPL Chakka Kundi A. Carriage how much being paid for one quintal? Total paid from January 2012 till date.*

The Tehsil Supply Officer, Batote failed to provide the information to the information seeker as he was not designated PIO under RTI Act, 2009. The information seeker thus having received no information from the TSO Batote reported the matter to Assistant Director, CA&PD, Ramban vide his application

dated 13-08-2012. The Assistant Director, CA&PD, Ramban informed the information seeker vide office letter No:AD/CAPD/R/12/653-54 dated 25-08-2012 that the TSO Batote is not authorized to reply under RTI Act, 2009 and thus the question of non-compliance by TSO does not arise. The Assistant Director, CA&PD, Ramban further informed the information seeker that he is designated PIO under RTI Act, 2009 and in case any information is required, the information seeker should contact him.

Meanwhile, the information seeker preferred appeal before the Ist Appellate Authority i.e Director, CA&PD Jammu. The FAA informed the information seeker vide office letter NO:169/G/RTI/Appeal-01/2341-42/G dated 28-09-2012 that his application cannot be treated as Ist appeal as the same is not in prescribed Format. However, the FAA directed Assistant Director, CA&PD, Ramban/PIO to supply information as sought by the information seeker and further advised the information seeker that in case PIO fails to provide the information, he may file Ist appeal in the prescribed format before the FAA. After receiving the direction from the FAA, the AD CA&PD, Ramban/PIO directed TSO Batote vide office letter NO:AD/CAPD/R/12/972-74 dated 3-10-2012 to furnish the information to the applicant within 3 days positively. Accordingly, TSO requested the information seeker to collect the required information during office hours vide office letter NO:668-70/TSO/CA&PD/B/2012 dated 10-10-2012 and the information seeker collected the same.

During the course of proceedings, the information seeker informed that the information provided to him by the TSO Batote is deficient and incomplete in nature and does not cover the issues raised in the RTI application. The TSO Batote submitted before the Commission that the information was prepared as per the record available in office and nothing has been concealed and in case, the information seeker wants to access the record, he shall be provided a facility to access the same.

In view of the aforesaid submissions of the APIO/TSO Batote, it is hereby ordered that TSO should provide an opportunity to the information seeker to access the record in his office during office hours and in case, the information seeker requires photocopy of any document he may be provided the same free of

cost. The information seeker is also directed to attend office of the TSO, Batote on 7<sup>th</sup> of May, 2013 for accessing the record. The TSO, Batote is further directed to file a compliance report to the Commission.

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, Consumer Affairs & Public Distribution, Jammu.
2. Public Information Officer/Assistant Director, CA&PD, Ramban.
3. Assistant Public Information Officer / Tehsil Supply Officer, Batote.
4. Sh. Chain Singh S/o Jhari Lal R/o Chakka Kundi, Tehsil and District Doda.

(M.S Shah)  
Registrar  
State Information Commission