



Jammu and Kashmir State Information Commission
(Constituted under The Right to Information Act, 2009)
Wazarat Road, near DC Office Jammu, 0191-2520947, 2520937
Old Assembly Complex, Srinagar, 0194-2506660, 2506661
www.jksic.nic.in

File No. SIC/K/SA/68/2015
Decision No. SIC/K/SA/68/2015/64

Appeal in the case of:

Title: Mohammad Yousuf Sheikh v/s DFO Forest Divn.
Anantnag (PIO)

Present: 1. Shri Tawheed Ahmad Deva PIO/DFO Anantnag
2. Basharat Ahamd, Law Officer, CCF Kashmir
3. Mohammad Yousuf Sheikh—Appellant

Srinagar
12.08.2015

The Commission received a 2nd Appeal under Section 16(4) of J&K RTI Act, 2009 on 06.07.2015 from Mr. Mohammad Yousuf Sheikh S/o Muhammad Ahsan R/o Gohan Vailoo, Kokernag, Anantnag drawing attention of the Commission towards his application dated 18.03.2015, wherein he sought following information from PIO/DFO Anantnag:

1. Reasons for keeping his file pending regarding registration of timber Sale Depot.
2. Any orders/direction from higher officer's regarding issue of registration in favour of the applicant and if so, copy thereof may be provided.
3. Village Vailoo falls in A-Zone, where Departmental Sale Depot of Timber is operating from so many years. Under which orders this Sale Depot has been registered.

It is alleged that PIO/DFO Anantnag failed to provide the information within the stipulated time. After that he filed first appeal before FAA/Conservator of Forests South Circle Kashmir on 22.04.2015, who directed the PIO to provide information to the information seeker, but no response have been given by the PIO till date. While enclosing the necessary documents, the appellant has requested to take stringent action into the matter.

In response to the notice of the Commission Mr. Tawheed Ahmad Deva, DFO Anantnag has filed counter reply dated 30.07.2015 submitting as under:-

“ ... that the applicant namely Mohammad Yousuf Sheikh S/o Mohammad Ahsan Sheikh R/o Gohan Vailoo Kokernag applied for registration of private timber Sale Depot for imported timber at village Vailoo prior to flood of September 2014. Since the record of this Division destroyed in flood, as such Rang Officer Daksum submitted the xerox copy of the case of the applicant. Since the applicant is

being repeatedly asked to produce attested copy of the revenue documents by the Range Officer, however till date he could not produce the same. In this regard it is to submit that as soon as the applicant will produce the attested copies of the revenue documents the private timber Sale Depot will be registered in his favour ”.

The Commission heard both the parties i.e. applicant Mr. Mohammad Yousuf Sheikh and Mr. Tawheed Ahmad Deva, PIO/DFO Anantnag. DFO submitted that delay is on part of applicant and as soon as the revenue documents are submitted by him, the Sale Depot will be registered in his favour.

From the counter reply of PIO and submissions made by appellant, it is evident that applicant has resorted to RTI Act for redressal of grievance regarding registration of Sale Depot, which is pending with DFO Anantnag for want of submission of documents by the appellant.

In view of the above no further action is warranted under the provisions of RTI Act 2009.

In so far as delay is concerned PIO/DFO Anantnag is directed to explain reasons for delay to enable the Commission take a view regarding initiation of further action as per the provisions of Act within two weeks.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the:

1. Conservator of Forests, South Circle Kashmir
2. DFO Anantnag
3. Sh. Mohammad yousuf Sheikh S/o Mohammad Ahsan R/o
Gohan Vailoo Kokernag, Anantnag

(G Q Bhat)
Registrar
State Information Commission
Srinagar