



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/64/2015
Decision No. SIC/K/SA/64/2015/71

Appeal in the case of:

Titled: Mukhtar Ahmad Wani v/s Tehsildar Shalteng, Srinagar.

Present:

- | | |
|--|-------------|
| 1. Parvez Ahmad, Naib Tehsildar Shalteng | Respondent. |
| 2. Mukhtar Ahmad Wani | Appellant. |

Srinagar
24.08.2015

Brief facts of this case are that Mr. Mukhtar Ahmad Wani c/o Bashir Watch House Ziyarat Batmaloo filed Second Appeal before the Commission on 01.06.2015 submitting that he approached First Appellate Authority/ACR Srinagar on 18.04.2015 for providing required information but the concerned officer has failed to provide the said information within the stipulated time period. The appellant requested that FAA be directed to provide the information within the stipulated time period.

The Second Appeal was not made in accordance with Rule-6 of the J&K RTI Rules 2012; therefore, deficiency was conveyed to the appellant vide notice dated 11.06.2015. The deficient documents were received in the Commission on 01.07.2015 and appeal registered. The appellant submitted that he sought information from PIO/Tehsildar Central Shalteng Srinagar vide application dated 7th March 2015 seeking i) total number of intiqals made out as per bainamas of various courts of the jurisdiction of the Batamalloo area since last eight months and ii) name of the parties of said allaqa in which revenue authorities have made intiqals according to their orders and directions.

That PIO failed to provide the information within the stipulated time period and the appellant approached FAA/ACR Revenue Srinagar for providing the said information, but the concerned officer did not pay heed to the request despite lapse of time period.

In response to the notice of the Commission, PIO/Tehsildar Shalteng filed reply/counter statement dated 03.08.2015 submitting that in response to the notice of the Commission, information was provided to the appellant under office letter dated 01.08.2015 through Registered Post.

During proceedings on 04.08.2015, the appellant appeared and submitted that he has not received the information yet. However, after going through information available with the PIO, appellant pleaded that response to Point-2 has not been given. Accordingly the Commission directed PIO/Tehsildar Shalteng to respond to Point-2 of the RTI application as per provisions of RTI Act.....

In compliance, PIO/Tehsildar Shalteng has enclosed further details to the information seeker vide letter dated 11.08.2015. The appellant submitted that he has not received this information. The appellant pointed

out the information is not attested/ authenticated. RTI Act requires PIO to provide attested copy of information. Accordingly, PIO is directed to send attested copies of information to the appellant within one week.

As regards delay in disposing of the RTI application, PIO/Tehsildar Shalteng is directed to explain as to why penalty proceedings as per Section 17 of the Act, shall not be initiated. His explanation, if any, alongwith compliance to above directions, should reach the Commission within two weeks from receipt of this order.

With the above directions the appeal filed before the Commission is disposed of.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the:

1. Tehsildar Shelteng, Srinagar
2. Pvt. Secretary to Hon'ble SIC
3. Sh. Mukhtar Ahmad Wani S/o Lt. Habib Ullah Wani R/o Ziyarat Batamaloo, Srinagar for information

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(G Q Bhat)
Registrar
State Information Commission
Srinagar