



Jammu and Kashmir State Information Commission  
(Constituted under Right to Information Act 2009)  
Old Assembly Complex, Srinagar, Fax No. 0194-2506660, 2506661  
Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520927, 2520937  
www.jksic.nic.in  
\*\*\*\*\*

File No: SIC/J/A/221/2016  
Decision SIC/J/A/221/2016/278

**Sh. Rattan Singh**

**V/s**

**FAA/PIO, O/o. Deputy Commissioner, Samba**

**... (Appellant)**

**... (Respondents)**

Date of Institution : 15.01.2016  
Date of Decision : 04.04.2016  
Decision : Appeal disposed of.

1. Sh. Pawan Kumar Sharma, FAA-cum-ADC, Samba, Sh. Sonu Pargal, PIO-cum-AC(R), Samba, Sh. Rajneesh Gupta, PIO-cum-SDM, Vijaypur and appellant attended the Commission.

2. **Brief Facts:** Appellant filed 2<sup>nd</sup> appeal before the Commission on 16.12.2015, under section 16 of J&K RTI Act, 2009 against the order of FAA.

3. Brief facts leading to appeal are that First Appellate Authority has disposed of First Appeal belatedly i.e. after 73 days. That appellant is aggrieved of the contents of the order as it is evasive and based on wrong and erroneous interpretations of the "information" sought.

4. In view of the above, he has prayed that information sought be provided regarding course of action taken by DC, Samba for handing over the possession of allotted land alongwith explanation regarding delay.

5. During proceedings in the Commission on 10.03.2016, following directions were issued:

- I. **ADC-cum-FAA, Samba and Sh. Sonu Pargal, AC (R), Samba/PIO office of D.C. Samba by name to explain as to why they have failed to cause their appearance before the Commission on 10.03.2016.**
- II. **Issue notice to PIO, office of D.C. Samba and SDM, Vijaypur (deemed PIO) through prescribed mode of service and through**

**Deputy Commissioner, Samba to appear before the Commission on the next date of hearing with relevant records.**

6. In compliance to point I, FAA/Mr. Pawan Kumar Sharma, Additional Deputy Commissioner, Samba and PIO/Mr. Sonu Pargal, Assistant Commissioner (Revenue), Samba filed explanation interalia submitting that the reasons for non-appearance were communicated to the Commission by Deputy Commissioner, Samba vide letter dated: 09.03.2016 by Fax. Thus there is no intentional or deliberate act on their part for non-appearance.

7. In compliance to point II of the directions referred to above, Mr. Rajneesh Gupta, SDM, Vijaypur in reference to his reply dated: 26.02.2016, produced copy of notice issued by Tehsildar, Vijaypur/Executive Magistrate, I-Class, Vijaypur to the concerned parties asking them to appear in his court on 26.03.2016. Accordingly, SDM, Vijaypur is directed to provide a copy of this notice alongwith latest action taken report, as per records to appellatant within one week.

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

**Sd/-**

**(Er. Nazir Ahmed)**

**State Information Commissioner**

Date: .04.2016

No: SIC/J/A/221/2016

Copy to:

4. FAA/Sh. Pawan Kumar Sharma, ADC, Samba.
5. PIO/Sh. Sonu Pargal, AC (R), Samba.
6. PIO/Sh. Rajneesh Gupta, SDM, Vijaypur for compliance.
7. Appellant/Sh. Rattan Singh, Secretary, Sant Ashram Swami Girdhranand Paramhans, Ranjhari, P.O. Jakh, Tehsil: Vijaypur, District: Samba.

**(Renu Mahajan)**

Joint Registrar

J&K State Information Commission