



J&K State Information Commission
Wazarat Road, Near D.C. Office, Jammu /
Old Assembly Complex, Srinagar.

File No. SIC/J/A/11/2016
Decision No. SIC/J/A/11/2016/341

Appellant : Abdul Aziz
Respondent: FAA/PIO, O/o D.C.Poonch & All Tehsildars of District Poonch.
Date of Institution: 20-04-2016
Date of Decision: 13-06-2016/
Decision: Appeal dismissed.

1. Brief facts of the case are that appellant filed 2nd appeal before the Commission on 20-04-2016, stating that he filed an RTI application before PIO, O/o Deputy Commissioner, Poonch on 30-11-2015, seeking information on seven points. But till 19-04-2016, i.e., date of filing 2nd appeal in the Commission, no information has been provided by the respondents.

2. Mr. Mohammad Sageer, Naib Tehsildar, Haveli, Mr. Mohammad Ayub, Naib Tehsildar, Surankote and Mr. Abid Hussain, Naib Tehsildar, Mandi attended hearing via video conferencing from NIC, Poonch. Appellant did not attend, although notice was issued to him to attend hearing through video conferencing from NIC, Poonch.

3. In compliance to the directions of the Commission dated: 12-04-2016, Dr. Gurvinderjeet Singh, KAS, ADC / PIO, O/o Deputy Commissioner, Poonch has filed reply/counter statement dated: 24-05-2016, stating that first appeal filed before FAA, O/o Deputy Commissioner, Poonch was disposed of by Deputy Commissioner/FAA, Poonch vide order dated: 02-02-2016 with direction to all the Tehsildars (PIOs') to provide information to the information seeker within 15 days. Accordingly, during proceedings on 27-05-2016, Tehsildars / PIO's of Haveli, Mandi, Surankote, Mankote, Balakote and Mendhar were directed to file compliance report before the Commission within one week.

4. During proceedings on 13-06-2016, respondents submitted that appellant was asked to deposit fee as photocopy charges, as prescribed under J&K Land Revenue Act vide various references. Respondents submitted copy of letter dated: 13-06-2016, addressed to Deputy Commissioner, Poonch, wherein, it is stated that in compliance to directions of FAA/Deputy Commissioner, appellant was required to attend office of Tehsildar, Surankote vide letter dated: 31-05-2016 for scrutiny of records, as the record sought was voluminous and not readily available in the office. That applicant was required to deposit an amount of Rs. 2,56,550/- as photocopy charges for Revenue Extract, as per J&K Land Revenue Act. However, applicant submitted a representation, stating that he is unable to deposit requisite fee and as such he does not want to obtain information under RTI Act. Respondents produced/submitted copy of communication of the appellant dated: 11-06-2016 as evidence.

5. Appellant neither attended the Commission nor has filed any written argument before the Commission.

6. In view of the aforesaid facts and on perusal of communication of appellant dated: 11-06-2016, it is evident that he does not want to obtain information, as he is unable to deposit the requisite fee. Therefore, appeal filed before the Commission is dismissed.

Sd/-
(Er. Nazir Ahmad)
State Information Commission

No. SIC/J/A/11/2016

Dated: -06-2016

Copy to the:-

1. First Appellate Authority, O/o Deputy Commissioner, Poonch.
2. Public Information Officer, O/o Deputy Commissioner, Poonch.
3. Tehsildars / PIO's, Haveli, Mandi, Surankote, Mankote, Balakote, Mendhar.
4. Pvt. Secretary to HSIC.
5. Shri Abdul Aziz S/o Feroz Din R/o Surankote P/o Sarnote, District Poonch (Appellant).
6. Guard file.

(G.Q.Bhat)
Registrar,
J&K, State Information Commission