



**Jammu and Kashmir State Information Commission**

شن ی کم شن ی انفارم ٹی اسٹ ری کشم نڈی ا جموں  
(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](http://www.jksic.nic.in)

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File No. SIC/Co./SA/379/2016

Decision No. SIC/Co./SA/379/2016/913

Appellant : Ms. Ulfat Majnoon.

Respondent : PIO, Raj Bhavan.

Date of Registration : 31.05.2016

Date of Decision : 15.06. 2016

1. Brief facts of the case are that appellant filed Second Appeal, under J&K RTI Act, 2009 before the Commission dated 25.04.2016, (received on 09.05.2016) on the grounds that PIO did not provide any information in response to RTI application dated 13.02.2016 addressed to PIO Raj Bhavan, Jammu. Thereafter, appellant filed First Appeal dated 24.03.2016 before FAA Raj Bhavan Jammu, but FAA also did not provide any information in response to First Appeal.

In view of above, appellant has prayed that information sought be provided, PIO penalized and disciplinary action taken against the PIO.

2. In the RTI application appellant has sought information on 3 points regarding appeal submitted via e-mail to Hon'ble Governor's Office.

3. Mr. O.P. Bhagat, PIO/Additional Secretary to Governor and Mr. Arshad Ahmad Khan, representative of the appellant attended the hearing.

4. PIO/Additional Secretary to Governor has filed reply/counter statement dated 13.06.2016 with copy to the appellant interalia submitting at paras 4 & 5 that in response to the RTI application, PIO, Raj Bhavan, vide letter dated 08.03.2016 informed appellant that her appeal had been forwarded to the Commissioner/Secretary to Government, School Education Department vide letter dated 12.11.2015, and if she wants a copy of the aforesaid communication she should deposit information fee of Rs. 2/- under the relevant rules. That appellant has not turned up for the said information till date. As regards First Appeal, PIO has submitted that no First Appeal has even been received either through post or e-mail and therefore question does not arise for the First Appellate Authority to respond. PIO has enclosed the list of e-mails received in 2015 & 2016 from the persons carrying their names with either Ulaft or Majnoon and that the only e-mail received from the appellant is dated 12.11.2015 which stands duly forwarded to the Commissioner/Secretary to Government, School Education Department, on the same date.

5. Upon perusal of the documents brought on record, it is evident that PIO Raj Bhavan, received RTI application on 08.03.2016 and communication was made to the appellant through

prescribed mode of service i.e. Indian Post on 09.03.2016. Therefore, RTI application has been responded to within prescribed time and appellant informed through prescribed mode of service. Therefore PIO has acted in accordance with provisions of Section 7 of the Act. PIO submitted that keeping the spirit of RTI Act in view, a copy of letter dated 12.11.2015 shall be provided free of cost. Accordingly, PIO provided copy of communication dated 12.11.2015, along with copy of reply/counterstatement, to the representative of the appellant, during the hearing.

The appeal is accordingly disposed of.

Sd/-  
(Nazir Ahmed)  
State Information Commissioner

Copy to the: -

1. Additional Secretary to Governor, Raj Bhavan, J&K.
2. Pvt. Secretary to Hon'ble State Information Commissioner, Srinagar.
3. Ms. Ulfat Majnoon d/o Mohammad Majnoon Khan r/o Qasba Hyhama, Kupwara.

(G.Q. Bhat)  
Registrar,  
State Information Commission