



Jammu and Kashmir State Information Commission

شٹیٹن آف انفارمیشن ریٹ آف جیمو

(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/Co./SA/371/2016

Decision No. SIC/Co./SA/371/2016/916

Appellant : Mr. Rashu Kanna
Respondent : PIO Revenue Department
Date of Registration : 24.03.2016
Date of Decision : 29.06.2016

1. Brief facts of the appeal are that appellant filed Second Appeal before the Commission on 24.03.2016 stating that he moved an RTI application under Section 6(1) of J&K RTI Act, 2009 pertaining to different queries on 29th July, 2015 before Office Secretary Revenue, Civil Secretariat (J&K) Srinagar seeking certain information. That PIO/Under Secretary to Government, transferred application under Section 6(3) vide letter dated 31.07.2015 to Regional Director, Survey & Land Records, Jammu. That as PIO did not pass the order within statutory limitation, he filed First Appeal before Secretary Revenue on 08.12.2015 and FAA adjudicated the appeal as per provisions of Section 16(7) of the Act stating that appeal is not maintainable as the application has been transferred to another public authority i.e. Regional Director's Survey & Land Records (Ex. Officio Settlement Officer), Jammu.

The appellant has prayed that PIO may be panelized as per sub-section (1) of sub-section (2) of Section 17 of the Act.

2. During proceedings on 10.06.2016 appellant submitted that he has received information in respect of Jammu office but no information has been received by him in respect of Srinagar office. The Commission observed that Regional Director, S&LR Srinagar has filed reply/counter statement dated 09.06.2016 stating that his office has not received any communication regarding the said matter. However, as per reply filed by PIO, Revenue Department, Civil Secretariat, RTI application dated 29.07.2015 has been transferred to both Regional Director's S&LR Jammu and Srinagar vide No. Rev/RTI/84/2015 dated 31.07.2015 and as evidence copy of said letter has been enclosed by the PIO wherein RTI application has been transferred to Regional Director, S&LR Srinagar under Section 6(3) of the Act with copy to the appellant.

Accordingly, copy of letter dated 31.07.2015 alongwith RTI application dated 29.07.2015 was handed over to Section Officer, Office of Regional Director S&LR Srinagar with directions to Regional Director S&LR Srinagar to file response within two week.

3. Mr. Mohammad Ismayeel, representative of Regional Director S&LR Srinagar attended hearing at Srinagar office and appellant Mr. Rashu Kanna heard via Video Conferencing from Jammu Office.

4. As per document filed before the Commission, Regional Director S&LR Srinagar has provided information under letter dated 16.06.2016 and Tehsildar Nazool, Jammu has provided information under letter dated 22.06.2016. The appellant submitted that he received information from Regional Director S&LR, Srinagar and also from Tehsildar Nazool (Incharge Complaint Cell) Jammu.

In view of above, it is held that information as requested by the appellant has been provided to him. Accordingly, appeal filed before the Commission is disposed of.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the: -

1. Regional Director Survey & Land Records, Jammu.
2. Regional Director Survey & Land Records, Srinagar.
3. PIO, Revenue Department Civil Secretariat, Srinagar.
4. Pvt. Secretary to Hon'ble State Information Commissioner, Srinagar.
5. Mr. Rashu Kanaa r/o Jagti Lane No. 3, Block 10, Jammu.

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