



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/13/2017
Case No. SIC/K/SA/13/2017/**06**

Appellant : Sh. Gulzar Ahmad Wani
Respondent : PIO/Tehsildar (South) Srinagar
Date of decision : 11-05-2017
Decision : Appeal disposed of.

I. Brief facts of the case.

Brief facts of the case are that one Shri Gulzar Ahmad Wani has filed 2nd Appeal before the Commission on 03.01.2017 on the ground that Tehsildar (South) Srinagar has failed to provide him information in response to his RTI application that was forwarded to him by PIO O/o Deputy Commissioner Srinagar. The appellant has requested the Commission to direct the concerned officials to provide him the requisite information and impose penalty upon him.

As per the records of the 2nd Appeal, the appellant has filed an application with the office of Deputy Commissioner Srinagar on 14.01.2015 for re-assessment of the damage caused to his house during the floods of September 2014. Thereafter, the appellant filed an application under RTI Act and referring to the aforesaid application, he

sought the latest status of the case regarding re-assessment of the damage caused to his property. The Assistant Commissioner Nazool/First Appellate Authority (FAA) vide order dated 30.06.2017 directed Tehsildar (South) to provide the requisite information to the appellant within ten days.

On scrutiny of documents of 2nd Appeal some deficiencies were pointed out by the SIC Registry besides the 2nd appeal was filed before the Commission after stipulated period of time as provided under Section 16(4) of J&K RTI Act. Subsequently, the appellant completed the deficiencies and Commission was pleased to condone delay on 16.03.2017 and accordingly 2nd appeal was admitted.

In response to the notice of Commission Tehsildar (South) Srinagar has filed reply dated 05.05.2017 interalia submitting that the matter is related to flood relief 2014 when applicant's residential house at Sonwar was initially placed in partial damage category and ex-gratia amounting Rs. 3800/-stands disbursed in favour of the applicant vide Cheque No.049823 and then upon the plea of the applicant, his house has been re-verified and its status was declared as severely damaged. The said status report for its further course of action has been submitted to the office of Deputy Commissioner Srinagar vice this office No.250/M/TS dated 11.05.2016.

II. **Proceedings before the Commission.**

During proceedings before the Commission, the appellant admitted to have received exgratia amounting to Rs 3800/- and thereafter instalments of Rs 20,000/- and 25,000/-. However, he has denied to have received any response to his RTI application from

Tehsildar (South). The Commission has gone through the reply of the Tehsildar (South)/PIO dated 05.05.2017. The said PIO has not provided any information regarding the status of the case forwarded by her office to the O/o Deputy Commissioner, Srinagar and although about one year has elapsed since May, 2016, when the case was forwarded.

III. Decision:

- 1. The Teshildar (South) Srinagar is directed to collect the latest updated status report of the appellant's case from the O/o Dy. Commissioner Srinagar and provide the same to the appellant.*
- 2. The Teshsildar (South) will also provide the copy of the reassessment of damages report of the appellant's house submitted by her office to Deputy Commissioner Srinagar.*

These directions be complied within two weeks from receipt of this order.

Accordingly, the 2nd appeal filed before the Commission is disposed of.

Sd/-
(Khurshid A Ganai) IAS, Rtd.
Chief Information Commissioner

No. SIC/K/SA/13/2017

Dated: 11 -05-2017

Copy to the:-

1. Addl. Deputy Commissioner Srinagar

2. FAA/Assistant Commissioner Nazool Srinagar
3. PIO/ Tehsildar South Srinagar
4. Pvt. Secretary to HCIC.
5. Sh. Gulzar Ahmad Wani S/o Gh. Rasool Wani R/o Iqbal Colony,
Sonwar Bagh, Srinagar
6. Guard File.

(Sheikh Fayaz Ahmad)
Registrar,
J&K, State Information Commission