



Jammu and Kashmir State Information Commission

شنیشن کمیٹی انفارمیر اسٹیٹسٹ کشمیر جموں ا
(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/J/A/105/2017

Decision No. SIC/J/A/105/2017/05

Final Order

- Appellant : Sh. Mohd. Ayaz Khan, Advocate
J&K High Court, Jammu.
- Respondent : First Appellate Authority (FAA)/Assistant
Development Commissioner (ACD), Poonch and
Public Information Officer (PIO)/Block
Development Officer (BDO), Mendhar.
- Date of Registration : 22.03.2017
- Date of Decision : 24.05.2017

Brief Facts:

This is a second appeal filed under section 16 (4) of the J&K Right to Information Act, 2009 in the J&K State Information Commission by one

Sh. Mohd. Ayaz Khan (Advocate), J&K High Court, on 22.03.2017. The appeal is against the alleged inaction of the FAA/ACD, Poonch and PIO/BDO, Mendhar. The appellant has alleged that he had submitted an RTI application to the PIO/BDO, Mendhar on 19.11.2016 seeking certain information but the PIO/BDO, Mendhar failed to provide the requisite information within the stipulated period of 30 days and thereby compelling him to file the First Appeal.

As per records, he had filed the First Appeal before the Director, Rural Development Department, Jammu on 29.12.2016. The First Appeal was forwarded to ACD, Poonch by Joint Director (Adm), Rural Development Department, Jammu with a copy to the appellant vide

communication dated: 02.01.2017 stating therein that the FAA was ACD, Poonch as per order No. 1090 DRD of 2015 dated: 11.12.2015 and not Director, Rural Development Department, Jammu. The Joint Director had further requested the ACD, Poonch to consider/decide the appeal within the stipulated time under the provisions of J&K RTI Act, 2009.

In compliance to the notice of the Commission dated: 17.05.2017, FAA/Sh. Zubair Hussain Shah, ACD, Poonch and PIO/Sh. Tariq Aziz, BDO, Mendhar attended the hearing. The appellant was also present.

Decision:

The second appeal filed in the Commission on 22.03.2017 came up for hearing on today i.e. 24.05.2017. During the hearing, the appellant stated that he has already received the information and requested that he may be allowed to withdraw the appeal. The FAA and the PIO also stated that the information as requested has been provided and there is no balance information which needs to be provided.

With these averments from both the sides it is directed that the appeal is disposed of as closed.

The second appeal is accordingly disposed of.

Copy of this decision be given free of cost to the parties.

Sd/-

(Khurshid A. Ganai) *IAS Retd.*
Chief Information Commissioner
J&K State Information Commission

No: SIC/J/A/105/2017_____

Dated: .05.2017

Copy to:

1. Registrar, J&KSIC for information and necessary action.
2. FAA/Sh. Zubair Hussain Shah, Assistant Commissioner Development, Poonch for information.
3. PIO/Sh. Tariq Aziz, Block Development Officer, Mendhar for information.
4. Appellant/Sh. Mohd. Ayaz Khan (Advocate), J&K High Court, Jammu.
5. Office file.

(Rita Koul)

Deputy Registrar

J&K State Information Commission

Copy to: Registrar, J&KSIC for information and necessary action.