



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/03/2017
Case No. SIC/K/SA/03/2017/ 10

FINAL ORDER

Appellant : Sh. Mohammad Rafiq Jan
Respondents : First Appellate Authority (FAA) O/o DC,
Srinagar, Public Information Officer
(PIO)/Tehsildar South, Srinagar.
Date of decision : 01.06.2017
Decision : Appeal disposed of.

I. Brief facts of the case.

The brief facts of the case are that the appellant Sh. Muhammad Rafiq Jan filed 2nd appeal before the Commission on 16.01.2017 against Public Information Officer (PIO)/Tehsildar Srinagar and First Appellate Authority (FAA) O/o Deputy Commissioner, Srinagar. The appellant filed the 2nd appeal on the ground that the PIO has failed to provide him information despite lapse of stipulated time period and FAA did not respond to his first appeal in any way after the stipulated time period was over. The appellant has requested the Commission to impose penalty on PIO,

and to take strong action against FAA, with directions to concerned officials to provide him the requisite information.

As per records of the 2nd appeal the appellant vide his RTI application dated 13.10.2016 has sought information on 15 queries from Tehsildar (South), Srinagar pertaining to records of land at P.C. Depot RehmatabadQamarwari, Srinagar. Thereafter, he filed first appeal before FAA O/o Deputy Commissioner, Srinagar on 20.11.2016 against the inaction of PIO. Later on the appellant filed 2nd appeal before the Commission against the inaction/ no-response of FAA/PIO. On scrutiny of documents of the 2nd appeal some deficiencies were found which were completed by the appellant on 04.02.2017 and accordingly appeal was admitted.

II. Proceedings before The Commission.

The 2nd appeal was initially heard by Commission on 17.03.2017 and during proceedings Tehsildar (South) submitted that RTI application of the information seeker has been transferred to Tehsildar,Shalteng, in view of the fact the information pertains to his jurisdiction. Accordingly, the copy of 2nd appeal along with enclosures was forwarded to Tehsildar,Shalteng, for reply/ counterstatement and Tehsildar (South) was exempted from appearance before the Commission in future hearings.

The 2nd appeal was again heard by the Commission on 04.04.2017. The hearing was attended by Ms. RifatNaseem FAA/ Sub Divisional Magistrate (SDM) (West), Srinagar, Sh. Gh. Ahmad Khan, Tehsildar-cum PIO (Shalteng) and Sh. Mohammad Rafiq Jan,

appellant. The hearing was adjourned with following directions:-

“The 2nd appeal was partly heard by the Commission on the date of hearing. PIO-cum-Tehsildar, Shalteng submitted during the hearing that he has filed reply/ counter statement dated 30.03.2017 copy of which has been provided to the appellant as well. On perusal of the counterstatement all the queries raised by the appellant in his RTI application have been responded to by the PIO. The appellant during hearing requested for some more time to go through the information provided to him. The case is accordingly adjourned with directions to the appellant to pursue the information and file rejoinder if any with a copy to the responded PIO before the next date of hearing.”

In compliance to aforementioned directions of the Commission, the appellant has filed rejoinder dated 01.05.2017. The appellant in his rejoinder has submitted that he has received complete/ full information from Tehsildar, Central, Srinagar and is satisfied with the information.

III. Decision:-

Since the appellant in his rejoinder has submitted that complete information has been provided to him by the PIO and he is satisfied with the same as such no further action is warranted in the matter.

The 2nd appeal is accordingly disposed of.

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

No: SIC/CO/SA/03/2017

Dated: .06.2017

Copy to:

1. Sub Divisional Magistrate-cum-First Appellate Authority, West, Srinagar
2. Tehsildar Central-cum-Public Information Officer Shalteng, Srinagar
3. Pvt. Secretary to HCIC
4. Sh. Mohammad Rafiq Jan S/o Mohammad Latif Jan R/o Firdous Abad, Lane No.6, Batmallo, Srinagar
5. Guard File

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