



Jammu and Kashmir State Information Commission

شہنیشن کمیٹی انفارمیری اسٹیٹسٹ کشمیری 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/97/2017

Decision No. SIC/J/A/97/2017/13

Final Order

- Appellant : Sh. Sikander Singh
S/o. Sh. Kaka Singh
R/o. VPO: Hamirpur Sidhar
Tehsil Khour, District Jammu
- Respondents : First Appellate Authority (FAA)/
Sub-Divisional Magistrate (SDM), Khour and Public
Information Officer (PIO)/Tehsildar, Khour.
- Date of Registration : 06.03.2017
- Date of Decision : 14.06.2017

Brief Facts:

This second appeal filed under section 16 (4) of the J&K Right to Information Act, 2009 in the J&K State Information Commission by Sh. Sikander Singh, S/o. Sh. Kaka Singh, R/o. VPO Hamirpur - Sidhar, Tehsil: Khour, District: Jammu was admitted on 06.03.2017. The appeal is preferred against the order of FAA/SDM, Khour passed vide order No. SDM/K/2016-17/1140 dated: 21.02.2017 where under direction was issued to the PIO/Tehsildar, Khour to provide the complete information to the appellant within a week's time positively. Through his original RTI

application, the appellant had sought some information from Tehsildar Khour regarding beneficiaries of flash floods of 2014, ALC certificates issued during the period of present Tehsildar and photocopies of Dispatch Register of ALC certificates issued during the period of present Tehsildar, Khour namely Sh. Ram Paul Sharma.

On non-receipt of the requisite information even after the First Appeal, the appellant came before the Commission in Second Appeal.

Proceedings:

The Commission fixed the hearing of second appeal on 25.05.2017. FAA/Sh. Devinder Paul, KAS, Sub-Divisional Magistrate, Khour attended the hearing. The appellant was also present. PIO/Tehsildar, Khour failed to cause his presence.

During the hearing, the appellant submitted that complete information has not been provided by the PIO/Tehsildar, Khour. On the other hand, the FAA submitted that he does not know whether the PIO has provided the complete information to the appellant or not. However, the First Appeal received by his office has been disposed of within time under intimation to the appellant. The Commission issued the following directions:

“The Commission, on perusal of available record and after hearing the parties, deems it proper to adjourn the case with direction to the PIO/Tehsildar, Khour to appear before the Commission on the next date of hearing.”

The case was again listed on 14.06.2017. FAA/Sh. Devinder Paul, KAS, Sub-Divisional Magistrate, Khour and PIO/Sh. Romesh Chander, Tehsildar, Khour attended the hearing. The appellant was also present. The PIO provided the copy of part information to the appellant during the course of hearing.

Directions/Decision:

After hearing the parties who attended the State Information Commission proceedings today on 14.06.2017 and perusal of the record on file and shown by the parties in the course of the hearing, following directions are hereby issued to the PIO/Tehsildar, Khour:

1. **To allow the appellant for inspection of ALC Register.**
2. **To show/allow inspection by the appellant of the Bank Account Number 0318040100005715, J&K Bank Chak Malal in which his mother Smt. Purno Devi, W/o. Kaka Singh, R/o. Hamirpur has deposited Rs. 15,000/- to return the excess relief amount to the Government so that the appellant ascertains whether the amount returned has actually gone into the Government chest.**

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/97/2017_____

Dated: . .2017

Copy to:

1. Registrar, J&KSIC for information and necessary action.
2. FAA/Sub-Divisional Magistrate, Khour for information and necessary action.
3. PIO/Tehsildar, Khour for information and n/a.
4. Private Secretary to HCIC for information of the HCIC.
5. Appellant/Sh. Sikander Singh, S/o. Sh. Kaka Singh, R/o. VPO: Hamirpur Sidhar, Tehsil Khour, District Jammu for information.
6. Office file

(Dr.Gh.Mohi-Ud-Din)

Joint Registrar
J&K State Information Commission