



Jammu and Kashmir State Information Commission

شہنیشن کمیٹی انفارمیر اسٹیٹ کاشمیر 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/27/2017

Decision No. SIC/J/A/27/2017/31

Final Order

(Second Appeal)

Appellant : Sh. Rashu Kanna

Respondents : First Appellate Authority (FAA)/
Public Information Officer (PIO),
O/o. Deputy Commissioner, Jammu.

Date of Registration : 19.06.2017

Date of Decision : 02.08.2017

Brief Facts:

The appellant Sh. Rashu Kanna, R/o. Lane No. 3, Block-10, TRT No. 13, So called Satellite Township for Migrants, Jagti, Nagrota while exercising his right to information filed RTI application with PIO, Law and Order, O/o. Deputy Commissioner, Jammu on 24.01.2017 seeking information on 02 points as under:

- (i) **Action taken on his application addressed to Deputy Commissioner, Jammu regarding increasing stray cattle menace and sanctioning of police van for 1:3 check post for shifting injured to hospitals under preservation of human values at so called Mini**

Satellite township for KP Migrants, Jagti, Nagrota dated: 04.10.2016.

- (ii) **Copy of all the notings, orders and letters regarding above cited application.**

Aggrieved by the disposal of the PIO, he filed First Appeal on 07.03.2017 with the FAA/O/o. Deputy Commissioner, Jammu which was not disposed of. At last, he approached the Commission by filing the 2nd appeal against the above mentioned respondents which was finally admitted in the Commission on 19.06.2017.

Proceedings:

In compliance to the notice of the Commission Sh. Arun Kumar Manhas, Additional Deputy Commissioner, O/o. Deputy Commissioner, Jammu-cum-PIO filed reply dated: 25.07.2017 interalia stating that the applicant/appellant Sh. Rashu Kanna was informed by his office that the issue highlighted by him was taken up with the Project Director NHAI Jammu and Tehsildar, Nagrota vide his office letter dated: 25.11.2016, but so far nothing has been heard from them. That a reminder had also been given to Project Director, National Highway of India for submitting the report. That the report furnished by the Tehsildar, Nagrota in the matter was served upon the applicant.

This 2nd appeal came up for hearing before the State Information Commission (SIC) today on 02.08.2017. Sh. Khalid Abdullah Shah, Public Law Officer, O/o. Deputy Commissioner, Jammu attended the hearing on

behalf of the PIO/Additional Deputy Commissioner (L&O), O/o. Deputy Commissioner, Jammu. The appellant also attended in person.

The appellant stated that he is not satisfied with the disposal of the PIO. He also submitted that the First Appeal filed before the FAA was not disposed of till date.

From the perusal of records available on file and the submissions made by the appellant and representative of the PIO at the time of hearing, it transpired that the RTI application of the appellant was not handled in the manner as prescribed under the J&K RTI Act, 2009.

Decision/Directions:

The PIO/Additional Deputy Commissioner (L&O), O/o. Deputy Commissioner, Jammu is directed to provide the information to the appellant sought by him through his original RTI application dated: 24.01.2017 within 15 days from the date of receipt of this order. The FAA/Deputy Commissioner, Jammu should also ensure that information as such is provided and grievance conveyed through this RTI application is also redressed.

With these observations/directions the second appeal is 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/27/2017_____

Dated: . . .2017

Copy to:

1. Registrar, J&KSIC for information and necessary action.

2. FAA/Deputy Commissioner, Jammu for information and necessary action.
3. PIO/Additional Deputy Commissioner (L&O), O/o. Deputy Commissioner, Jammu for information and necessary action.
4. Private Secretary to HCIC for information of the HCIC.
5. Appellant/Sh. Rashu Kanna, R/o. Lane No. 3, Block-10, TRT No. 13, so called Satellite Township for Migrants, Jagti, Nagrota.
6. Office file.

(Rita Koul)
Deputy Registrar
J&K State Information Commission