



Jammu and Kashmir State Information Commission

شہنیشن کمیٹی انفارمیشن 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/44/2017

Decision No. SIC/J/A/44/2017/36

Final Order

(Second Appeal)

Appellant : Sh. Bodh Raj

Respondents : First Appellate Authority (FAA)/
Public Information Officer (PIO),
O/o Jammu Municipal Corporation (JMC),
Town Hall, Jammu

Date of Registration : 07.07.2017

Date of Decision : 07.09.2017

Brief Facts:

The appellant Sh. Bodh Raj, S/o. Sh. Chet Ram, R/o. H.No. 75, Near Canon Bar, Bikram Chowk, Jammu while exercising his right to information filed RTI application with PIO, JMC, Jammu on 01.05.2016 seeking following information:

"Issuance of certified copy of lease deed which alleged to have been executed by my predecessor in your favour and which was valid upto 1988."

Aggrieved by the non-receipt of information from the office of PIO, he filed First Appeal on 01.08.2016 with the FAA/Commissioner, JMC, Jammu. At last, he approached the Commission by filing the 2nd appeal against the above mentioned respondents which was finally admitted in the Commission after completion of deficiencies on 07.07.2017.

Proceedings:

In compliance to the notice of the Commission Ms. Vinakshi Koul, Assistant Commissioner (R), JMC, Jammu-cum-PIO filed reply dated: 28.08.2017 interalia stating that the reply to the information seeker was provided by the then PIO vide letter dated: 11.06.2016. That the First Appeal filed before the FAA was disposed of with directions to Assistant Commissioner (Rev), JMC to provide a fresh copy of reply to the applicant. That the fresh copy of reply was provided to the appellant on conclusion of the hearing of the First Appeal.

The hearing in this 2nd appeal was earlier conducted on 01.09.2017 through Video Conferencing from Jammu office of the Commission and in order to have more clarification in the matter the hearing was adjourned to be listed again on 07.09.2017.

During hearing today on 07.09.2017, Ms. Vinakshi Koul, Assistant Commissioner (R), JMC, Jammu-cum-PIO and the appellant attended the hearing. The parties were heard at length and the records were perused.

Directions:

In view of the submissions of the PIO and the appellant, the PIO/Assistant Commissioner (R), JMC, Jammu is directed to provide the requisite information as sought by the appellant in his RTI application dated: 01.05.2016, subject to the availability of the same with the Department, within 30 days from the date of receipt of this order.

With these 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/44/2017_____

Dated: . . .2017

Copy to:

1. Registrar, J&KSIC for information and necessary action.
2. FAA/Commissioner, JMC, Town Hall, Jammu for information.
3. PIO/Assistant Commissioner (R), JMC, Town Hall, Jammu for information and necessary action.
4. Private Secretary to HCIC for information of the HCIC.
5. Appellant/Sh. Bodh Raj, S/o. Sh. Chet Ram, R/o. H.No. 75, Near Canon Bar, Bikram Chowk, Jammu
6. Office file.

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