



**Jammu and Kashmir State Information Commission**

شہنیشن کمیٹی انفارمیری اسٹیٹ کنڈ 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](http://www.jksic.nic.in)

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File No. SIC/J/A/47/2017

Decision No. SIC/J/A/47/2017/33

**Final Order**

(Second Appeal)

Appellant : Sh. Indu Bushan Bali

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

Date of Registration : 21.07.2017

Date of Decision : 05.09.2017

**Brief Facts:**

The appellant Sh. Indu Bushan Bali, R/o. Village Jourian, Tehsil Akhnoor, District Jammu while exercising his right to information filed RTI application with PIO, O/o Deputy Commissioner, Jammu on 09.03.2017 seeking information on 05 points as under:

- 1) *Copy of all notes & copies of all proceedings done on my application dated: 23.11.2011 till date.*
- 2) *Give information regarding reasons for keeping my file pending for a long period i.e. w.e.f. 23.11.2011 till date.*
- 3) *Copies of noting done/action taken on my application dated: 17.08.2015 duly marked to DDC, Jammu by Hon'ble Speaker.*

- 4) *Copies of noting done/action taken on my application dated: 21.09.2016 duly marked to DC Jammu by Hon'ble Minister for Revenue.*
- 5) *Names of persons who have been given ownership rights w.e.f. 23.11.2011 upto now with date of ownership order issued.*

Aggrieved by the non-receipt of information from the office of PIO, he filed First Appeal on 17.04.2017 (through registered post) with the FAA, O/o Deputy Commissioner, Jammu. At last, he approached the Commission by filing the 2<sup>nd</sup> appeal against the above mentioned respondents which was finally admitted in the Commission after completion of deficiencies on 21.07.2017.

### **Proceedings:**

In compliance to the notice of the Commission dated: 21.08.2017 Deputy Commissioner, Jammu-cum-FAA filed counter statement dated: 04.09.2017 interalia submitting that the reply to the RTI applicant stands provided by the PIO on 24.07.2017 through registered post.

During the hearing today on 05.09.2017 Ms. Neha Bakshi, Tehsildar (Recovery), O/o Deputy Commissioner, Jammu-cum-PIO and Sh. Khalid A. Shah, Law Officer, O/o Deputy Commissioner, Jammu (on behalf of the FAA) attended the hearing. The appellant also attended in person.

The appellant submitted that the reply/letter of the PIO was received by him but the annexures forming the reply were not annexed with the same.

The PIO submitted that she has recently joined the office and will try her best to locate the records and will subsequently provide the same to the appellant.

**Directions:**

**From the records available on file and submissions made by the parties it appears that the reply earlier furnished by the then PIO was deficient in terms of annexures. In view of the above, PIO/Ms. Neha Bakshi, Tehsildar (Recovery), O/o Deputy Commissioner, Jammu is hereby directed to treat the RTI application of the appellant dated: 09.03.2017 as a fresh RTI application and dispose of the same in terms of the provisions of the J&K RTI Act, 2009 and the Rules within 30 days from the date of receipt of this order under an intimation to the Commission.**

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/47/2017

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/Ms. Neha Bakshi, Tehsildar (Recovery), O/o. Deputy Commissioner, Jammu for information and necessary action.
4. Private Secretary to HCIC for information of the HCIC.
5. Appellant/Sh. Indu Bushan Bali, R/o. Village Jourian, Tehsil Akhnoor, District Jammu.
6. Office file.

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