



Jammu and Kashmir State Information Commission

شنیشن کمیٹی انفارمیری اسٹینیٹ 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/52-A/2017

Decision No. SIC/J/A/52-A/2017/72

Final Order

(Second Appeal)

Appellant : Sh. Jia Lal
Respondents : First Appellate Authority (FAA)/ Deputy
Commissioner, Poonch and Public Information
Officer/Tehsildar, Mendhar
Date of Registration : 31.07.2017
Date of Decision : 23.11.2017

Brief Facts:

The appellant Sh. Jia Lal, S/o. Sh. Roop Lal, R/o. Q. No. 11, Rehari Colony, Jammu while exercising his right to information filed RTI application with the PIO, O/O Deputy Commissioner, Poonch on 28.04.2017 seeking the following information:

- (i) *Kindly provide me the information about the present position/status of the land falling under khasra No. 160 measuring 176 Kanals 01 Marla, 192 measuring 25 Kanals 13 Marlas, 250 measuring 97 Kanals 13 Marlas, 157 measuring 1 Kanals 17 Marlas, 168 measuring 2 Kanals 12 Marlas, 171 measuring 12 Kanals 11 Marlas, 179 measuring 6 Kanals 11 Marlas, 196 measuring 2 Kanals 11 Marlas, 205*

measuring 8 Kanals 16 Marlas and 289 measuring 2 Kanals 18 marlas total measuring 337 Kanals and 3 Marlas situated at Village Goi, Tehsil Mendhar District Poonch which includes the name of the person who is in possession of the same.

Aggrieved by the non response of the PIO, the applicant (now appellant) filed First Appeal on 06.06.2017 with the FAA/Deputy Commissioner, Poonch. The First Appellate Authority also did not provide the requisite information to him. 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 31.07.2017.

Proceedings:

This 2nd appeal was admitted in the State Information Commission (SIC) on 31.07.2017 and first sixty days expired on 01.10.2017 but owing to the need for conduct of more hearings for appropriate and final disposal of the appeal, the time period for disposal is accordingly allowed by another 60 days up to a maximum of 120 days from the date of admission of the appeal in terms of section 16 (11) of the J&K RTI Act, 2009.

This 2nd appeal was listed for hearing before the SIC on 20.10.2017. Sh. Tariq Ahmed Zargar, Deputy Commissioner, Poonch-cum-FAA was heard through Video Conferencing from NIC, Poonch. Sh. Naresh Kumar son/representative of the appellant was heard through Video Conferencing from Jammu office of the State Information Commission. The hearing was adjourned with the following directions:

"Since the appellant totally denied to have received any such information which has been sent by Tehsildar, Mendhar through ordinary post, the FAA/Deputy Commissioner, Poonch is directed to have a fresh set of information sent to the appellant through registered post to the postal address of the appellant. Further, the appellant is also directed to go through the information to be provided by the PIO/FAA and file his response, if any, to the PIO with copy to the SIC before the next date of hearing."

The appeal was again listed for hearing today on 23.11.2017. Sh. Ashraf Choudhary, Assistant Commissioner (Revenue), Poonch was heard through Video Conferencing from NIC office, Poonch. The appellant did not attend the hearing despite advance notice.

On perusal of record placed across the file, it transpired that the Tehsildar, Mankote has vide his No. 08/251-253 dated: 23.10.2017 furnished the requisite information to the applicant (now appellant). A copy of the same was also furnished to the State Information Commission. Further, the appellant/Sh. Jia Lal has submitted a representation dated: 20.11.2017 addressed to the Deputy Registrar, State Information Commission interalia submitting that he has got the necessary information from the concerned authorities and that he is now not interested to proceed further in the said RTI.

Decision:

In view of the above, it is observed that since the requisite information has already been provided to the appellant by the PIO/Tehsildar, Mankote and the appellant has intimated his

satisfaction regarding the same, there is nothing left to be decided further.

*With these observations 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/52-A/2017

Dated: .11.2017

Copy to:

1. Registrar, J&KSIC for information and necessary action.
2. FAA/Deputy Commissioner, Poonch for information and necessary action.
3. PIO/Assistant Commissioner (Revenue), Poonch for information and necessary action.
4. PIO/Tehsildar, Mankote, Poonch for information and necessary action.
5. Private Secretary to CIC for information of the HCIC.
6. Appellant/Sh. Jia Lal, S/o. Sh. Roop Lal, R/o. Q. No. 11, Rehari Colony, Jammu for information.
7. Office file.

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