



Jammu and Kashmir State Information Commission

شہنیشن کمیٹی انفارمیری 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/97/2017

Decision No. SIC/J/A/97/2017/74

Final Order

(Second Appeal)

- Appellant : Sh. B.R. Manhas.
- Respondents : First Appellate Authority (FAA)/Additional Deputy Commissioner, Doda and Public Information Officers (PIOs)/Tehsildar, Bhandarwah and Tehsildar, Bhalla.
- Date of Registration : 20.09.2017
- Date of Decision : 24.11.2017

Brief Facts:

The appellant Sh. B.R. Manhas (Advocate), R/o. 164, Janipur Housing Colony, Jammu-180007 while exercising his right to information filed an RTI application dated: 14.03.2017 under section 6 of the J&K Right to Information Act, 2009 (hereinafter Act for short) with the PIO/Tehsildar, Bhalla (through registered post) seeking the following information:

"Action taken by the Tehsildar Bhalla with regard to providing of the information as required in RTI application dated: 19.11.2016"

Aggrieved by the non-response of the PIO within the stipulated time, the appellant filed First Appeal with the FAA, O/O Deputy Commissioner, Doda on 29.04.2017 (through registered post) which as per record was disposed of by FAA/Additional Deputy Commissioner, Doda vide his order dated: 12.06.2017 with directions to Tehsildar, Bhaderwah (who was the custodian of record of erstwhile Tehsil Bhaderwah) to provide the information to the information seeker directly within 10 days from the date of receipt of the order. Aggrieved by the non receipt of requisite information, even after the orders of the FAA, the appellant approached the State Information Commission (SIC) by filing 2nd appeal which was admitted on 20.09.2017.

Proceedings:

This 2nd appeal was admitted in the SIC on 20.09.2017 and first sixty days expired on 18.11.2017 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 extended 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.

The appeal was listed for hearing before the SIC on 24.11.2017. The hearing was attended by FAA/Sh. Mohd. Hanief Malik, KAS, Additional Deputy Commissioner, Doda, PIO/Sh. Masood Ahmad, Tehsildar, Bhaderwah and the appellant.

During the hearing the appellant submitted that he has received the information from the PIO a few days back and he is satisfied with the information furnished so far. The appellant further submitted that he does not want further proceedings in the appeal.

Decision:

In view of the above, the State Information Commission (SIC) observes that since the requisite information has been provided to the appellant by the PIO and the appellant is also satisfied with the same, there is nothing left for the Commission to be decided further in this appeal. However, the PIOs Tehsildar, Bhalla and Tehsildar, Bhaderwah are asked to remain careful in future since they have exceeded the time limit of 30 days prescribed under section 7(1) for provision of information to the applicant (now appellant). The DC, Doda as head of the District/Public Authority is directed to ensure that the PIOs in the District are given adequate training and orientation in the handling of RTI applications and matters thereof.

With these observations and 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/97/2017____

Dated: . .2017

Copy to:

1. Registrar, J&KSIC for information and necessary action.
2. Deputy Commissioner, Doda for information and necessary action.

3. FAA/Additional Deputy Commissioner, Doda for information and necessary action.
4. PIO/Tehsildar, Bhaderwah for information and necessary action.
5. PIO/Tehsildar, Bhalla for information and necessary action.
6. Private Secretary to HCIC for information of the HCIC.
7. Appellant/Sh. B.R. Manhas (Advocate), R/o. 164, Janipur Housing Colony, Jammu-180007.
8. Office file.

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