



**Jammu and Kashmir State Information Commission**  
(Constituted under the Right to Information Act, 2009)  
**Wazarat Road, near DC Office Jammu, 0191-2520947, 2520937**  
**Old Assembly Complex, Srinagar, 0194-2506660, 2506661**  
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File No. SIC/K/SA/66/2017  
Decision No. SIC/K/SA/66/2017/**82**

### **FINAL ORDER**

Appellant : Sh. Mohammad Shafi Baba  
S/o Late Gh. Qadir Baba R/o Taj Colony,  
Baghwari, Bumhama, Shahwali, Kupwara

Respondent : First Appellate Authority (FAA)/ ACD Kupwara  
Public Information Officer, (PIO) Block  
Development Officer, Drugmulla, Kupwara

Date of Registration : 15.09.2017

Date of Decision : 26.12.2017

### **Brief Facts:**

The brief facts of the case are that Shri Mohammad Shafi Baba filed the 2<sup>nd</sup> appeal against the PIO/BDO Drugmulla, Kupwara and FAA/ACD, Kupwara before the Commission on 12.09.2017. The appellant has alleged that he had sought information from the PIO/BDO Drugmulla vide RTI application dated 18.03.2017, but the desired information was not provided to him. Later on he filed the First Appeal before the FAA/ACD Kupwara on 06.05.2017, but again the requisite information was not provided to him. The appellant has requested the Commission to consider his 2<sup>nd</sup> appeal with directions to provide him the requisite information and impose penalty upon the erring officials.

As per the records of the 2<sup>nd</sup> appeal, the appellant vide RTI application dated 18.03.2017 had sought the following information from the PIO/BDO Drugmulla:-

- 1. Please give me the detail of the work and funds under different 2016 schemes that you have utilized in Bumhama under ward No.10 in the area of Taj Colony.*
- 2. Information regarding the construction of protection Bunds in Nala Taj Colony, Bumhama.*

On 06.05.2017, the appellant filed the First Appeal before the FAA/ACDE Kupwara against inaction of the PIO. Thereafter, the appellant has filed the instant 2<sup>nd</sup> appeal before the Commission on 12.09.2017.

The 2<sup>nd</sup> appeal was initially heard by the Commission on 31.10.2017 and 21.11.2017. On 21.11.2017, the hearing was attended by Mr. Abdul Gani Bhat, PIO/BDO Drugmulla District Kupwara and the appellant Mr. Muhammad Shafi Baba. During the hearing the PIO/BDO Drugmulla provided information consisting of 13 leaves to the appellant. The appellant sought time to go through the same so as to ascertain whether the information has been provided to him fully or partially and to file the rejoinder, if required. The hearing was accordingly adjourned with directions to the appellant to file rejoinder before the Commission within ten days from the receipt of order with advance copy to the PIO/BDO.

The 2<sup>nd</sup> appeal came up for final hearing before the Commission on 26.12.2017. None of the parties attended the hearing nor did the appellant file any rejoinder to the information received by him during proceedings before the Commission on 21.11.2017.

**Decision:**

The information sought by the appellant was received by him during the proceedings on 21.11.2017. He was directed to go through the information and file rejoinder if he was not satisfied with the same. As per the records, the appellant has

neither filed the rejoinder nor attended the Commission today although he was informed about the date of hearing through prescribed mode of service. It appears that the appellant he is satisfied with the information that he has received on previous date of hearing. Since the requisite information has been provided to the appellant and nothing remains to be adjudicated upon by the Commission, the 2<sup>nd</sup> appeal is disposed of accordingly.

*Sd/-*  
**(Mohammad Ashraf Mir)**  
*State Information Commissioner*

**Copy to:**

1. FAA/Assistant Commissioner, Development, Kupwara
2. PIO/BDO Drugmulla District Kupwara
3. Appellant-Sh. Mohammad Shafi Baba S/o Late Gh. Qadir Baba R/o Taj Colony, Baghwari, Bumhama, Shahwali, Kupwara
4. Office file

**(M. S Bhat)**  
*Dy. Registrar*  
*J&K State Information Commission*