



## **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**

[www.jksic.nic.in](http://www.jksic.nic.in)

\*\*\*\*\*

File No. SIC/J/A/111/2017

Decision No. SIC/J/A/111/2017/**134**

### **Final Order:**

Appellant : Sh. Mohammad Abass Shiekh, S/o Sh. Ahadulla,  
R/O Pethgam Marwah, Tehsil Marwah, District  
Kishtwar.

Respondent : FAA/PIO, Rural Development Department.

Date of Registration : 04.10.2017

Date of decision : **02-02-2018.**

Decision : Appeal disposed of.

### **Brief Facts:**

Briefly, the facts of this case are that the appellant Sh. Mohammad Abass Shiekh, while exercising his right to information filed an RTI application with the Public Information Officer (PIO) Assistant Commissioner Development, Kishtwar on 24-03-2017 seeking following information:

1. List of candidates engaged in Rural Development Department, District Kishtwar as supporting staff under various schemes viz BRGF/Total sanitation

Programme/SGSY and MGNAREGA on need basis along with Photostat copies of their engagement orders w.e.f year 2010 to till date.

2. List of candidates / supporting staff who have been disbanded / ousted from RDD, District Kishtwar along with attested copies of their disbanded order.
3. Detail of candidates who are presently working in RDD District Kishtwar as supporting staff.

**Proceedings before the State Information Commission(SIC):**

The instant appeal came up for hearing before the SIC on 16-11-2017. The hearing was attended by the appellant. However, the respondents did not cause their presence despite due notice. Appellant submitted that the PIO did not provide any information despite clear cut directions of the FAA/ACD, Kishtwar issued while disposing the 1<sup>st</sup> appeal. After hearing the appellant who was present in person and perusal of records available in the file, the SIC took serious note of the absence of the PIO as well as the FAA and the case was adjourned.

The appeal again came up for hearing on 15-12-2017. The hearing was attended by the appellant. The respondents again did not cause their presence. The appeal was again adjourned with providing last and final opportunity to the BDO/PIO, Marwah to appear before the SIC on next date of hearing with reply to the 2<sup>nd</sup> appeal.

The final hearing was held before the SIC today on 02-02-2018. The hearing was attended by BDO/PIO Marwah and the appellant. During the hearing the PIO assured the Commission that he will provide the requisite information to the appellant within two days time and has also furnished an undertaking in this regard which was taken on record.

**Decision:**

*The appeal is disposed of with the directions to the PIO/BDO Marwah to provide the information to the appellant within two days time from today. In case the PIO fails to provide the information to the appellant within the aforesaid period, the appellant shall be at liberty to file a complaint before thje SIC in terms of section 15 of the RTI Act, 2009*

**-Sd-**

(Mohammad Ashraf Mir),  
State Information Commissioner,  
J&K State Information Commission.  
\*/imi/\*

No. SIC/J/A/111/2017

Dated:        /        /2018.

Copy to the:

- 1 Registrar, JKSIIC for information.
- 2 First Appellate Authority (FAA) Assistant Commissioner Development, Kishtwar for information.
- 3 Public Information Officer (PIO) Block Development Officer, Marwah for information and compliance.
- 4 PS to SIC for information of HSIC.
- 5 Sh. Mohammad Abass Shiekh, S/o Sh. Ahadulla, R/O Pethgam Marwah, Tehsil Marwah, District Kishtwar.
- 6 Guard file.

(Reeta Koul)  
**Deputy Registrar,**  
J&K State Information Commission