



Jammu and Kashmir State Information Commission
(Constituted under Right to Information Act 2009)
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File No. SIC/J/A/185/2017.

Decision No. SIC/J/A/185/2017/156

Final Order:

Appellant : Sh. Sikander Singh
S/o Sh. Kaka Singh
R/o VPO Hamirpur Sidhar, Tehsil Khour
District, Jammu.

Respondents : FAA Addl. Deputy Commissioner (Adm),
Jammu.
PIO SDM, Khour.

Date of Decision : **19-02-2018.**

Decision : Appeal disposed of.

Brief Facts:

Brief facts of the 2nd Appeal are that the appellant Sh. Sikander Singh filed an RTI application through registered post on 04.09.2017 addressed to the Public Information Officer/SDM Khour asking for various type of information about SDM Khour and the office of SDM, Khour etc. As per records on file, the PIO provided point wise reply to the appellant vide No SDM/K/2017-18/557 dated 16.10.2017. The appellant however filed 1st Appeal before the

FAA/ Additional Deputy Commissioner, Jammu on 05.10.2017 alleging that no response had been received by him from the PIO to his RTI application. The First Appellant Authority / Additional Deputy Commissioner, Jammu disposed of the 1st Appeal vide No. ADC/FAA/RTI/2017-18/21-22 dated 08.11.2017 with the directions to provide information to the information seeker in accordance with J&K RTI Act, 2009 read with rules thereof. On the ground of not receiving the reply from the PIO within stipulated time period, the appellant came before the State Information Commission by filing the 2nd appeal on 20.11.2017.

Proceedings before the Commission:

The 2nd appeal came up for hearing before the Commission on 19.01.2018. The hearing was attended by the FAA/ Additional Deputy Commissioner (Adm), Jammu and the PIO SDM, Khour. The FAA and the PIO filed their Counter replies to the 2nd appeal which were taken on record. The respondents FAA/PIO submitted that they have disposed of the RTI application as well as the First Appeal of the appellant within time. During the hearing, the PIO stated that the requisite information was provided to the applicant (now appellant) on 16.10.2017. The PIO further stated that the appellant is in the habit of filing numerous RTI applications seeking either similar type of information or irrelevant and voluminous information which is difficult to compile. Both the FAA and PIO were heard at length. After going through the record and

submission of the respondents, the hearing was adjourned with following directions:-

In view of the absence of the appellant and in order to provide him an opportunity of being heard, the hearing of this 2nd appeal is adjourned. The appellant is directed to attend the next date of hearing for presenting his arguments.

Hearing on 19.02.2018 and Decision:

The 2nd appeal came up for hearing again today on 19.02.2018. The hearing was attended by Sh. Khalid Abdula Shah, Sr. Law Officer on behalf of FAA but neither the appellant nor the PIO attended the hearing. The commission's view is that since the appellant has failed to turn up for hearing to substantiate his claim for any information not provided so far, there is no alternative but to accept the claim of the PIO that requisite information has already been provided to the appellant. It is also not without basis that the appellant Sh. Sikander Singh is in the habit of filing multiple RTIs seeking voluminous information including personal and irrelevant information not related to public interest or any of the objectives of the RTI Act. Therefore, the 2nd appeal before the Commission is disposed of without any further orders on the grounds that PIO has already provided the requisite information on 16.10.2017.

Sd/-

(Khurshid A. Ganai)IAS Retd.
Chief Information Commissioner,
J&K State Information Commission.

Copy to the :-

1. First Appellate Authority, Deputy Commissioner (Adm), Jammu.
2. Public Information Officer, SDM Khour.
3. Pvt. Secretary to HCIC for information of HCIC.
4. Sh. Sikander Singh S/o Sh. Kaka Singh R/o VPO Hamirpur Sidhar, Tehsil Khour, District, Jammu.
5. Guard File.

(Shiekh Fayaz Ahmad)
Registrar,
J&K State Information Commission