



Jammu and Kashmir State Information Commission

جموں اینڈ کشمیر اسٹیٹ انفارمیشن کمیشن

(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/K/SA/18/2018

Decision No. SIC/K/SA/18/2018/21

Final Order

(2nd Appeal)

- Appellant : Sh. Mudasir Nazir Wani.
- Respondents : First Appellate Authority (FAA)/Regional Wildlife Warden, Kashmir and Public Information Officer (PIO)/Wildlife Warden, North Kashmir Division, Sopore.
- Date of Registration : 14.02.2018.
- Date of Decision : 14.05.2018.

Proceedings on 14.05.2018:

The statutory time period of sixty days in this 2nd appeal has expired on 15.04.2018 and accordingly the time period for disposal is further extended by another sixty days in terms of section 16 (11) of J&K RTI Act, 2009 to enable the SIC to conduct more hearings for judicious and appropriate disposal in the interest of the objectives of the J&K RTI Act, 2009.

This second appeal came up for hearing today on 14.05.2018 at Srinagar. FAA/Sh. Rashid Naqash, Regional Wildlife Warden, Kashmir and PIO/Sh. M.S. Mir, Wildlife Warden, North Kashmir Division,

Sopore attended the hearing whereas, the appellant was absent. The State Information Commission (SIC) vide its Interim Order dated: 11.04.2018 had issued the following directions:

“After hearing the appellant as well as the respondents, the respondents are directed to reformulate the reply in terms of the RTI application and provide the details of seasonal labourers sought for by the appellant. It must be clearly stated in the reply that the seasonal labourers are only being hired and not been appointed so that there are no other implications for the department of this disclosure.

The PIO shall also allow the appellant to inspect the record in order to satisfy him about the correctness of the reply/information.

The PIO shall also explain the delay in providing the information to the appellant/RTI applicant.”

During the hearing today on 14.05.2018, the PIO/Wildlife Warden, North Kashmir Division, Sopore, informed that subsequent to the orders of the Commission issued on 11.04.2018, he has provided the requisite information to the appellant (the then RTI applicant) vide his communication dated: 75-77/WLW(N)2018-19 dated: 01.05.2018.

Decision/Directions:

Since the respondent PIO has implemented the order of the Commission dated: 11.04.2018 in totality vide his no. 75-77/WLW(N)2018-19 dated: 01.05.2018 and the appellant has also not attended today’s hearing, it indicates that he has nothing to agitate further. In view of the above, it is deemed proper to dispose of this 2nd appeal as closed. However, the PIO

is warned to be careful in future while dealing with applications filed before him under the J&K RTI Act, 2009 and he is advised to act strictly as per the provisions of section 7(1) of the Act.

A copy of this order may also be sent to the Chief Wildlife Warden, J&K and the FAA/Regional Wildlife Warden, Kashmir for information and necessary action viz-a-viz strengthening of the mechanism for effective implementation of the J&K RTI Act in the Wildlife Department and to ensure that all PIOs and FAAs discharge their duties diligently under the Act. The Chief Wildlife Warden shall also ensure implementation of section 4 of the J&K RTI Act, 2009 in the Department.

With these directions the appeal is disposed of.

Copy of this decision be given free of cost to the parties.

Sd/-

(Khurshid A. Ganai)

Chief Information Commissioner

(P.A. Ajay)

No: SIC/K/SA/18/2018_____

Dated:

Copy to:

1. Chief Wildlife Warden, J&K for information and necessary action.
2. First Appellate Authority/Regional Wildlife Warden, Kashmir for information and necessary action.
3. Public Information Officer/Wildlife Warden, North Kashmir Division, Sopore for information and necessary action.
4. Private Secretary to CIC for information of the HCIC.
5. Appellant/Sh. Mudasir Nazir Wani, R/o. Ayathmulla Bandipora 193502-information.
6. Office file.

(Sheikh Fayaz Ahmed)

Registrar

J&K State Information Commission