



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

File No. SIC/J/A/170/2017

Decision No. SIC/J/A/170/2017/207

Final Order:

Appellant : Sh. Mohammad Shafiq, S/o Sh. Hassan Din,
R/o Mendhar, Ghoulad.

Respondent : FAA/PIO, CA&PD.

Date of Registration : 11-12-2017

Date of decision : **06-04-2018.**

Decision : Appeal disposed of.

Brief Facts:

The appellant had filed an RTI application on 21-08—2017 before the Public Information Officer (PIO)/ Assistant Director, PCS&CA, Department, Poonch. On not receiving any reply from the PIO within stipulated time period of 30 days, he filed 1st appeal before the First Appellate Authority (FAA)/Director, FCS&CA, Jammu on 06-10-2017. However, the FAA did not dispose of his 1st appeal. As such, he came before the State Information Commission (SIC) by way of filing 2nd appeal on 16-11-2017 admitted on 11-12-2017.

Proceeding/Decision:

The appeal came up for hearing before the State Information Commission (SIC) on 16-02-2018. The hearing was attended Ms. Hema Choudary (Advocate) counsel on behalf of FAA CA&PD, Mr. Balvinder Singh, L.A

FCS &CA, Jammu, Mr. Ranjit Singh, Assistant Director, FCS&CA, Poonch and counsel for the appellant. The appeal was adjourned with a direction to the appellant to file the rejoinder, if he desires so with an advance copy to the respondents.

The appeal was listed for the hearing again before the SIC on 16-03-2018. The appellant was not present. Mr. Balvinder Singh, Legal Assistant on behalf of respondents present for hearing.

The SIC observed that on last date of hearing the appellant was directed to file the rejoinder to the information provided by the respondents. But the appellant has neither filed the rejoinder nor appeared before the SIC for hearing. As such, last and final opportunity was granted to the appellant to appear before the SIC on next date of hearing.

The appeal was once again listed for hearing before the SIC on 06-04-2018. Mr. Balvinder Singh on behalf of the respondents was present. The appellant was again absent during the hearing. The representative of the PIO submitted that the information sought for by the appellant has been provided to him and the same has been received by the appellant. He also furnished an acknowledgement receipt signed by the appellant on 15-02-2018, whereunder the appellant admits to have received the information and also that he is satisfied with the said reply.

The non-appearance of the appellant on the consecutive dates of hearing also indicates that he has received the reply and is not interested in perusing the appeal any further.

The appeal is accordingly disposed of.

-sd-

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

No. SIC/J/A/170/2017

Dated: / /2018.

Copy to the:

- 1 First Appellate Authority (FAA) Director, FCS&CA, Jammu for information.
- 2 Public Information Officer (PIO) Assistant Director, FCS&CA Deptt. Poonch for information.
- 3 PS to SIC for information of HSIC. Block Development Officer, Bunjwah
- 4 Sh. Mohammad Shafiq, S/o Sh. Hassin Din, R/o Mendhar Ghoulad.
- 5 Guard file.

(Sheikh Fayaz Ahamd)
Registrar,
J&K State Information Commission.