



Jammu and Kashmir State Information Commission

شنیشن کمیٹی انفارمیر اسٹیٹسٹ کشمیر جموں ا
(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/48/2018

Decision No. SIC/J/A/48/2018/252

Final Order

(Second Appeal)

Appellant : Sh. Subash Chander.
Respondents : First Appellate Authority (FAA)/
Sub-Divisional Magistrate, Hiranagar and
Public Information Officer (PIO)/
Tehsildar, Hiranagar.
Date of Registration : 21.05.2018.
Date of Decision : 13.06.2018.

Brief Facts:

The appellant Sh. Subash Chander, President, Petition Writers Association, Tehsil Hiranagar, District Kathua filed an RTI application on 27.01.2018 before the Public Information Officer (PIO)/Tehsildar, Hiranagar seeking some information pertaining to Petition Writers & Stamp Vendors working in Tehsil office premises. On not receiving any reply from the PIO within the stipulated period of 30 days, the appellant preferred First Appeal before the FAA/SDM, Hiranagar on 27.02.2018. During pendency of First Appeal, the PIO sent a reply containing partial information. The FAA/SDM, Hiranagar disposed of the First Appeal on 11.04.2018 by issuing directions to the PIO to provide the available

information within 07 days positively. On failure of the PIO to comply with the directions of the FAA, the appellant approached the State Information Commission by filing the 2nd appeal on 16.05.2018 (admitted on 21.05.2018).

Proceedings:

The 2nd appeal came up for hearing today on 13.06.2018. FAA/Sh. Suresh Chander Sharma, SDM, Hiranagar, PIO/Sh. Avtar Singh, Tehsildar, Hiranagar and the appellant attended the hearing.

The appellant submitted that the information sought from the PIO is very simple but the respondents failed to provide the same within the prescribed time period as provided under the Act.

On the other hand, the FAA submitted that the then PIO was directed by him while disposing of the First Appeal filed by the appellant (the then applicant) to provide the requisite information. But due to the law and order problems, the then PIO/Tehsildar, Hiranagar Sh. Gourav Sharma was transferred from the post of Tehsildar, Hiranagar and consequently the RTI request of the appellant remained unattended.

Since the new Tehsildar has joined the office, it is now assured that the requisite information shall be provided to the appellant within a few days.

Directions:

After hearing both the parties and after perusal of records on the file, the PIO/Tehsildar, Hiranagar is directed to provide the complete information as per available record and as per the RTI

application dated: 27.01.2018 within 21 days from the date of receipt of this order and file compliance.

With these directions, this second appeal is disposed of.

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

Sd/-

(Khurshid A. Ganai)

Chief Information Commissioner

(P.A. Ajay)

No: SIC/J/A/48/2018_____

Dated:

Copy to:

1. FAA/Sub-Divisional Magistrate, Hiranagar for information.
2. PIO/Tehsildar, Hiranagar for information and necessary action.
3. Private Secretary to CIC for information of the HCIC.
4. Appellant/Sh. Subash Chander, President, Petition Writers Association, Tehsil Hiranagar, District Kathua for information.
5. Office file.

(Baldev Raj)

Joint Registrar

J&K State Information Commission