



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/19/2018
Decision No. SIC/J/A/19/2018/**304**

Final Order

Appellant : Sh. Muhammad Habib through
Para Legal Valunteer JMIC Munsif
Court Tehsil Mandhar District
Poonch, J&K

Respondents : 1. First Appellate Authority (FAA)/
Assistant Development
Commissioner, Poonch
2. Public Information Officer
(PIO)/Block Development Officer,
Mendhar

Date of Registration : 01-05-2018

Date of Decision : 28-08-2018

BRIEF FACTS:

The present appeal has originated out of RTI application dated 12-12-2017 filed by the appellant Shri Muhammad Habib with PIO/Block Development Officer, Mendhar seeking photo copies of invoices prepared during the year 2015-16 and 2016-17 of single skilled worker under MGNREGA and

also the details of total units and list of beneficiaries under SBM scheme during the years 2014 to 2017. Since no information was provided to him by the PIO within the stipulated time, he filed first appeal with Director Rural Development Department, Jammu praying for a direction to the PIO to provide the requisite information without any further delay. The appellant finally filed second appeal before the State Information Commission on 01-05-2018 contending that the first appellate authority did not dispose of the first appeal filed by him nor has the PIO provided any information to him till that date.

The appeal came up for hearing before the SIC on 24-07-2018. The appellant was present during the hearing and submitted that till date no information has been provided to him by the PIO in response to his RTI request dated 12-12-2017. However, nobody appeared on behalf of the respondents. The Commission accordingly directed the registry to issue show cause notice to the PIO/BDO, Mendhar directing him to explain as to why he has failed to provide the information to the appellant and also to explain why he did not appear before the Commission inspite of the due notice.

The appeal again came up for hearing before the Commission today on 28-08-2018. PIO/BDO, Mendhar was present while as the appellant did not appear. The PIO submitted that he has provided the information to the appellant on 18-08-2018. The PIO also submitted an affidavit sworn by the appellant in which he has deposed that he has received the entire information required by him and therefore, he desires that the appeal be disposed of by this Commission. The PIO/BDO, Mendhar also filed his counter statement today in response to the show cause notice issued by this Commission stating therein that he was engaged in the office of District Development Commissioner, Poonch to attend election meeting on 24-07-2018 and had to submit Election Urgent Agenda Points on the same day positively. As such, he could not appear before the SIC on the said date. The PIO has also submitted that he had already prepared the relevant information sought by the appellant in his RTI application but due to his suspension, he could not provide the same well in time and that when he was reinstated on 21-07-2018, he took steps to provide the information to the appellant and the same was finally provided to him as has been admitted by him in the affidavit.

Since the information sought by the appellant has been provided to him and the appellant has expressed his satisfaction with the said information, nothing further remains to be adjudicated upon in the instant 2nd appeal.

The 2nd appeal is accordingly disposed of.

Sd/-

(Mohammad Ashraf Mir)
State Information Commissioner

Typed by:
Altaf Zullah

Copy to the:

1. FAA/Assistant Development Commissioner, Poonch.
2. PIO/Block Development Officer, Mendhar.
3. Appellant—Sh. Mohammad Habib through Para Legal Valunteer JMIC Munsif Court Tehsil Mandhar District Poonch.
4. Office File

(Zaheer Abbas)
Assistant Registrar
State Information Commission.