

he filed First Appeal to First Appellate Authority dated 26.07.2013 but received no response from FAA as well.

As per records RTI application has been disposed of by the PIO/Tehsildar North Srinagar on 10.07.2013 informing the applicant that his application does not fall within the ambit of RTI Act, 2009. PIO has further informed that as per section 16(1) of the J&K RTI Act, 2009, the information seeker may file an appeal to the 1st Appellate Authority i.e., Assistant Commissioner Revenue Srinagar within 30 days from the issuance of the order. However, the appellant has filed First Appeal before Deputy Commissioner Srinagar on the grounds that no response has been received by him.

In reply to the notice of the Commission dated 27.12.2013, Shri Gh. Jeelani Zargar, ACR Srinagar submitted that notice dated 09.12.2013 was not served on him. He has further submitted that the applicant has never filed any appeal before the FAA (ACR). Upon perusal of notice dated 27.12.2013, the plea of ACR was found correct as notice for reply and appearance dated 09.12.2013 has been sent to DC Srinagar (FAA) and Tehsildar North Srinagar (PIO).

Tehsildar North during hearing submitted that he has provided information to the information seeker. However, information seeker informed that he has not received it.

In this case ACR Srinagar is the First Appellate Authority, as RTI application has been responded to by the Tehsildar North Srinagar. Accordingly the Commission deems it proper to remit the appeal to FAA/ACR Srinagar for adjudication within two weeks from issue of this order.

With the above directions, the appeal is disposed of.

Sd/-
(Nazir Ahmed)
State Information Commission

Copy to the:-

1. Assistant Commissioner Revenue Srinagar (FAA).
2. Tehsildar North Srinagar(PIO).
3. Sh. Umar Javaid C/o TRI Movement Office Abdullah Bridge, Rajbagh Srinagar.

(M.S. Bhat)
Deputy Registrar,
J&K State Information Commission