

Facts of the case are that Second Appeal was filed by the appellant before the Commission on 20.08.2013 alleging that her RTI application dated 02.07.2013 was not responded to by the PIO. Further stating that as no response was received by her, she approached FAA with First Appeal which was not accepted there.

The appeal filed before the Commission was remitted back to FAA/Joint Director Planning Baramulla on 29.08.2013 for adjudication under section 16 of the J&K RTI Act, 2009 with the direction to provide the appellant an opportunity of being heard.

In compliance to the orders of the Commission, FAA vide letter dated 04.09.2013 informed the Commission that the applicant has never approached his office nor has submitted any application before him till date and the question of not accepting/not entertaining the appeal does not arise at all. He further informed that applicant PIO alongwith concerned staff have been directed to attend his office on 09.09.2013 so that both appellant and the concerned officials are heard with a view to sort out the problem amicably as per the Act.

Thereafter, PIO vide letter dated 19.09.2013 addressed to the Commission with copy to the information seeker has submitted as under:

“In compliance to your directions, FAA heard the case on 09.09.2013 in his court in which the appellant, PIO and staff of ZLSS (SBM) Baramulla were present. After hearing both the parties the FAA directed the concerned staff to provide the requisite information to the applicant on 17.09.2013 although the same was already delivered to her which was also accepted/agreed by the appellant. The District Project Coordinator ZLSS/SBM Baramulla delivered a detailed report (68 leaves) to the undersigned for further delivery to the appellant.”

The information comprising of 70 leaves has been sent to the information seeker under letter dated 19.09.2013 addressed to the Commission with copy to the information seeker.

Aggrieved by the information provided by the PIO, the complainant filed complaint under reference, with objection all the 9 points of information provided on one issue or the other.

In response to the notice of the Commission, PIO under letter 12.11.2013 has enclosed reply of District Project Coordinator, ZLSS (SBM) Baramulla dated 12.11.2013 with copy to the information

seeker. In said reply, objections raised by the information seeker and has been replied point wise/ para wise. It is further submitted 'that the applicant has made repeated RTI's from time to time and complaining unsatisfactory/incomplete information by this office. As all the information sought by the applicant has been provided and the case has been disposed of by PIO and 1st Appellate Authority/Joint Director Planning. Therefore if the appellant needs further clearance of the information she may approach ZLSS office personally for her satisfaction regarding the information'.

PIO, during proceedings submitted that multiple RTI applications filed by the complainants is basically with regard to her grievance regarding her engagement as Block Coordinator. PIO submitted in writing that her main grievances have now been addressed as she has been selected as Block Coordinator vide Order No. DDCB/SBM/2014/3194-104 dated 20.01.2014.

Upon perusal of the reply of PIO information provided viz-a-viz queries raised in the complaint, the Commission is of the view that information within the definition of 'information' and 'right to

information' have been provided to the information seeker. Also, grievance of appellant has now been addressed through the medium of RTI.

In view of above the complaint filed before the Commission is disposed of.

Sd/-

(Nazir Ahmed)
State Information Commissioner

Copy to the: -

1. Joint Director Planning Baramulla (FAA).
2. Assistant Director & PIO O/o District Statistics & Evaluation Officer, Baramulla.
3. Smt Hameeda Bano D/o Ab. Ahad Rather R/o Wagoora Baramulla.

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