



**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. 0194-2484269, 2484262  
www.jksic.nic.in  
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File No. SIC-K/comp/41/2013  
Decision No SIC-K/comp/41/2013/16

Title: Shri Gh. Mohiudin Punoo  
General Secretary,  
Coordination Committee Shopian  
(Appellant)

v/s ADC Shopian  
(Respondent)

Present:

1. Shri Sajad Hussain, ADC Shopian.
2. Shri Fayaz Ahmad Wani, rep. of appellant.

**Srinagar**  
**28.01.2014**

This is a Second Appeal filed before the Commission on 15.10.2103 by Shri Gh. Mohiudin Punoo, General Secretary, Coordination Committee Shopian against PIO Office of the Deputy Commissioner Shopian. The facts as stated in the appeal are: -

**“that a deputation of Coordination Committee, Hill District Shopian met Chief Secretary on 7<sup>th</sup> March 2013 at Jammu and presented a memo bearing No. CCS/51/7 dated 07.03.2013. The Chief Secretary forwarded the memo to Deputy Commissioner Shopian vide No. PS/CS-08/2013/SPN dated**

**20.03.2013 (photocopy enclosed) which was received by the office of DC Shopian under receipt No. 26 dated 04.04.2013. As directive of the Chief Secretary remained in pendency, the Coordination Committee approached Deputy Commissioner Shopian on 31.05.2013 for supply of information under RTI Act (copy of RTI application enclosed). After completion of scheduled time, an appeal has been presented to the DC Shopian on 02.07.2013 for supply of desired information”.**

The appellant has therefore requested the Commission for justice in the matter.

During proceedings in the Commission on 24.12.2013, designated PIO Shri Sajad Hussain, ADC Shopian submitted that the matter under reference has been taken up with the concerned departments vide letter No. DCS/SM/B/831-36 dated 12.12.2013 for comments/relevant information on the reference made by the General Secretary, Coordination Committee, Shopian. However, it was noted that even this information was not supplied to the information seeker. PIO was accordingly directed to dispose of the RTI application within one week from issue of the order under section 7 of the Act and submit compliance report to the Commission on the next date of hearing.

During proceedings today PIO produced compliance report regarding disposal of RTI application dated 26.12.2013 as under: -

**“Refer your application under RTI Act, 2009 dated 02.07.2013 with respect to memorandum No. CCS/51 dated 07.03.2013. In this context, it is to inform you that the matter stands taken up with the allied departments vide this office letter No.**

**DCS/SM/13/831-36 dated 12.12.2013 wherein they have been directed to examine the issues/demands and favour this office with their comments regarding the issues/proposals. As soon as the reports/comments are received from the allied departments, the information will be provided to you”.**

Shri Fayaz Ahmad Wani, representative of the Coordination Committee admitted to have received this document but submitted that enclosure as referred in the communication was not enclosed. Copy of enclosure (one leaf) and reminder dated 27.01.2014 to various Divisional/District officers and report of SE Mughal Road Project given to representative of appellant.

From perusal of the documents it is obvious that the RTI application received by the office of the Deputy Commissioner on 09.07.2013 has remained in pendency till 26.12.2013. Therefore, subject to production of further evidence, if any, there has been delay in disposal of the RTI application. In view of above, the Commission directs PIO to explain within two weeks from the date of issuance of this order, as to why penalty under section 17 of the Act shall not be imposed on him for delay in disposal of the RTI application.

The Commission has also noted with dismay that the memo of Coordination Committee Shopian forwarded by the Chief Secretary of the State to DC Shopian in March 2013 has remained unattended upto December 2013. This shows complacency and casual approach of

District Administration. Since this matter has come to the notice of the Commission, it shall be appropriate for the Commission to mark copy of the same to the office of the Chief Secretary for his information in the matter.

Sd/-

**(Nazir Ahmed)**  
**State Information Commissioner**

Copy to the:-

1. Deputy Commissioner Shopian (FAA).
2. Addl. Deputy Commissioner Shopian (PIO).
3. Sh. Gh. Mohiudin Punoo, General Secretary Coordination Committee, Shopian.

Copy also to:-

Principal Private Secretary to Chief Secretary for information of Chief Secretary

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