



**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](http://www.jksic.nic.in)

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File No. SIC-K/comp/03/2014  
Decision No. SIC-K/comp/03/2014/41

Title: Sh. Ghulam Hassan Wani **v/s** Tehsildar Kupwara  
r/o Mirnag Kupwara **(Respondent)**  
**(Complainant)**

Respondent: Sh. Ali Mohammad Malik, Tehsildar -Present  
Appellant: - Absent

**Srinagar**  
**27.03.2014**

The Commission received a complaint on 18.01.2014 from Shri Ghulam Hassan Wani s/o Sonallah Wani r/o Mirnag Kupwara stating that he applied to PIO Tehsil Office Kupwara for certified copy of letter No. DMK/Set/1-420 dated 26.03.2013 alongwith its annexures but the same have not been provided to him. The complainant has requested the Commission to take appropriate action in the matter.

In response to the notice of the Commission, Tehsildar Kupwara vide letter No. TK/JC/14/687-88 dated 08.02.2014 has submitted “that the case pertaining to the applicant namely Gh. Hassan Wani s/o Sonallah Wani r/o Mirnag was under trial in the court of Additional Deputy Commission Kupwara prior to 2005. Meanwhile the applicant has applied for copies of the same file under RTI Act. This office has already submitted a detailed report to Additional Deputy Commission Kupwara vide this office No. 297/JC dated 20.08.2013 & No 403/JC dated 07.10.2013 (copy enclosed). It is pertinent to mention here that the applicant has already been directed/informed that he will collect the copies of the file from the Addl. Deputy Commissioner Office Kupwara under RTI Act. Since no file is pending in this office pertaining to the subject.”

It has been noted that copy of this response have not been marked to the information seeker.

From above it is evident that the relevant information is not held by the Tehsildar Kupwara and documents available with him has been enclosed in his reply. However copy of this reply alongwith enclosures have not been provided to the information seeker. Tehsildar Kupwara is directed to send this information to the information seeker. It has also been noted that fee accompanying

application is in the shape of treasury receipt, which is not in accordance with J&K RTI Rules 2012.

In view of above no action is warranted for any delay on the part of the PIO as the RTI application was incomplete *ab-initio*.

**Sd/-**  
**(Nazir Ahmed)**  
**State Information Commissioner**

Copy to the: -

1. Tehsildar Kupwara
2. Sh. Ghulam Hassan Wani r/o Mirnag Kupwara.

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