



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

File No: SIC/K/Comp/15/2013
Decision No: SIC/K/Comp/15/2013/**33**

Title: Shri Mohd Maqbool Rather v/s Assistant Director,
District Chairman, CA&PD Budgam (PIO)
J&K Rural Development Society, **(Respondent)**
Budgam **(Complainant)**

Present: 1. Sh. Muntazir Mohi-ud-Din, PIO

Srinagar
15.04.2013

The Commission received a complaint at its Jammu office on 07.02.2013 from Shri Mohammad Maqbool Rather, District Chairman, J&K Rural Development Society, Budgam against PIO/Assistant Director CAPD Budgam on the ground that his RTI application dated 09.01.2013 has not been responded to by the PIO. This complaint was transferred to and received by the Kashmir wing of the Commission on 18.03.2013.

In response to notice of the Commission, Shri Muntazir Mohi-ud-Din, Assistant Director CAPD Budgam, submitted that RTI application has been disposed by him under letter dated 05.02.013 and information has been sent to information seeker through Speed Post on 06.02.2013. Evidence in this regard was produced before the Commission by the PIO. Thus RTI application has been disposed of by the PIO within prescribed period under section 7 of the RTI Act.

As per records, the complaint has been filed on 30.01.2013 i.e., before expiry of period specified under section 7(1) of the Act for disposal by PIO, and therefore complaint for deemed refusal cannot be entertained in such cases.

In view of above, the complaint being bereft of any merit is dismissed.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the: -

1. Assistant Director CA&PD Department, Budgam.
2. Shri Mohammad Maqbool Rather, District Chairman, J&K Rural Development Society, Budgam.

(Mohammad Shafi)
Assistant Registrar,
J&K State Information Commission