



**Jammu and Kashmir State Information Commission**  
(Constituted under Right to Information Act 2009)  
Old Assembly Complex, Srinagar, Fax No. 0194-2484269, 2484262  
Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937  
www.jksic.nic.in  
\*\*\*\*\*

**File No:** SIC/J/A/20/2014  
**Decision No:** SIC/J/A/20/2014/83

Sh. Sanjay Kumar	Appellant	Present
Sh. Daljeet Singh Tehsildar Reasi.		Present

**Jammu**  
**05-03-2014**

Briefly the facts in this appeal are that Sh. Sanjay Kumar S/o Sh. Tara Chand R/o Ghai-Jagir P/o Dadoo, Block Pouni, Teh. & Distt. Reasi moved an application dated 17-08-2013 before the PIO O/o Deputy Commissioner, Reasi under J&K RTI Act, 2009 whereunder he sought the following information:-

*"What decision/action has been taken on the SWP No. 1104/2013 CMA No. 1592/2013 High Court of Jammu and Kashmir at Jammu. (Copy Attached)."*

The PIO failed to dispose of the RTI application U/s 7(1) of the J&K RTI Act, 2009. Aggrieved of inaction on the part of the PIO, appellant filed 1<sup>st</sup> appeal before the FAA/Deputy Commissioner, Reasi on 08-10-2013. Perusal of the 2<sup>nd</sup> appeal filed by appellant before this Commission shows that the first appeal filed by appellant has not been disposed of within statutory period. The 1<sup>st</sup> appellate authority under the scheme of the Act being a quasi judicial authority is under an obligation to provide an opportunity of being heard to the appellant and is required to pass a reasoned and speaking order while disposing of an appeal after observing the

principles of natural justice so that a regime of transparency and accountability is maintained. The first appellate authority has not adjudicated the appeal filed by appellant, the attitude of first appellate authority is against the spirit of Right to Information Act, 2009 which has been viewed seriously by the Commission.

In the given circumstances, the PIO O/o Deputy Commissioner, Reasi is hereby directed to provide the requisite information to information seeker within 2 weeks from the date of receipt of this order under an intimation to the Commission.

The appeal is accordingly disposed of.

Notice of this decision be given free of cost to the parties.

**Sd/-**

Dr. S.K. Sharma  
State Information Commissioner

Copy to the:

8. Public Information Officer O/o Deputy Commissioner, Reasi.
9. Sh. Daljeet Singh, Tehsildar Reasi.
10. Sh. Sanjay Kumar S/o Sh. Tara Chand R/o Ghai-Jagir P/o Dadoo, Block Pouni, Teh. & Distt. Reasi.

(Khalid. A. Shah)  
Dy. Registrar  
State Information Commission