



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/10/2014
Decision No: SIC/J/A/10/2014/84

Sh. Sanjay Kumar	Appellant	Present
Sh. Daljeet Singh Tehsildar Reasi.	APIO	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 Dadoa, Block Pouni, Teh. & Distt. Reasi moved an application dated 17-08-2013 before the PIO O/o Deputy Commissioner, Reasi under J&K Right to Information Act, 2009 where under he sought the following information:-

- 1. From the office of the Tehsildar, Reasi no. 394/oQ dated 23-06-2011. In this report Tehsildar, Reasi said Tara Chand has also one residential house in Village Muthi, Jammu.*

Kindly provide the documentary proof of the said house.

- 2. From the office of the Naib Tehsildar, Pouni no. 252/NP dated 15-06-2011. In this report the Naib Tehsildar said they have residential house in Village Muthi, Jammu.*

Kindly provide the documentary proof of the said house.

On 17-09-2013 Naib Tehsildar, Reasi vide its letter informed the Tehsildar, Reasi that the original files containing 39 pages of information has already been submitted to his office vide office letter no. 252/NP dated 15-06-2011. Naib Tehsildar, Reasi further stated that no documentary proof is available with his office.

On 23-09-2013, APIO/Tehsildar, Reasi in reply to letter of PIO O/o ACR, Reasi submitted that the file containing the information of case of Sh. Sunil Kumar S/o Sh. Behari Lal R/o Village Godhar Jagir, Block Pouni against Sh. Sanjay Kumar S/o Sh. Tara Chand R/o Muthi stands already submitted in original in the office of PIO O/o ACR, Reasi. On 28-09-2013 PIO/ACR, Reasi informed the appellant about his right to file the 1st appeal. Information seeker was not provided any information by the PIO/ACR, Reasi. Aggrieved of the denial of information by PIO/ACR, Reasi, appellant filed 1st appeal on 18-10-2013, which has not been adjudicated and disposed of till date. The appellant filed 2nd appeal dated 21-01-2014 before the Commission and alleged that the PIO/ACR, Reasi did not provide the requisite information within the statutory period as envisaged under the Act. After receiving 2nd appeal, the Commission issued hearing notice to the PIO/ACR, Reasi, Tehsildar, Reasi, Naib Tehsildar, Pouni and appellant for causing their presence before the Commission on 05-03-2014. The APIO/Tehsildar, Reasi and the appellant were present.

Perusal of 2nd appeal filed by the appellant shows that FAA has not adjudicated the 1st appeal filed by the appellant. The FAA has failed to discharge its statutory duty cast upon it under the J&K RTI Act, 2009 which has been viewed seriously by the Commission. The PIO O/o of the ACR, Reasi is hereby directed to provide the requisite information to the information seeker as per office record within two 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:

1. 1st Appellate Authority / Deputy Commissioner, Reasi.
2. Sh. Sanjay Kumar S/o Sh. Tara Chand R/o Ghai-Jagir P/o Dadoa, Block Pouni, Teh. & Distt. Reasi.
3. Public Information Officer O/o ACR, Reasi.
4. Sh. Daljeet Singh, Tehsildar, Reasi.

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