



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-C-19/2013

Decision No: SIC-J-C/19/2013/212

Mst. Shahnaz Akhter	Complainant	Absent
Sh. District Coordinator, TLC Poonch.	PIO	Absent

**Jammu
26-07-2013**

Briefly the facts in this complaint are that Mst. Shahnaz Akhter W/o Mohd. Zabir R/o Ari, Tehsil Mendhar, District Poonch moved an application dated 17-01-2013 under J&K RTI Act, 2009 before the PIO Addl. Dy. Commissioner, Poonch seeking the following information :-

- i. Copy of the engagement order of TLC worker of Smt. Tasleem Akhter W/o Sh. Nasir Ahmed R/o Dhrana, Tehsil Mendhar who had been as TLC worker.
- ii. Copy of merit list of the candidates who have applied for the post of TLC worker.
- iii. Copy of non-marriage certificate produced by Smt. Tasleem Akhter W/o Nisar Ahmed.

The information seeker has alleged in her complaint before the Commission that no information has been provided to her despite the fact that she has approached the District Coordinator TLC, Poonch on number

of occasions and he turned down her request for the information as sought by her. The information seeker has not availed an opportunity of Ist appeal which was available to her before the FAA i.e Deputy Commissioner, Poonch for redressal of her grievance under the RTI Act, 2009 and has directly approached the Commission by filing complaint against District Coordinator TLC, Poonch. Right to Ist appeal is statutory right and must be exercised before approaching the Commission by filing second appeal. In the given circumstances, it would be better to remand the matter to Dy. Commissioner, Poonch with a direction to adjudicate and dispose it of on merit within 30 days from the date of receipt of this order after providing an opportunity of being heard to both the parties. The Dy. Commissioner, Poonch is further directed to file compliance report to the Commission.

The complaint 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 :

5. The First Appellate Authority/Dy. Commissioner, Poonch
6. The Public Information Officer/District Coordinator, TLC Poonch.
7. Mst. Shahnaz Akhter W/o Mohd. Zabir R/o Ari, Tehsil Mendhar, District Poonch.

(Khalid A Shah)
Dy. Registrar
J&K State Information Commission