



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

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File No: SIC/CO/SA/37/2013

Decision No: SIC/CO/SA/37/2013/463

Title:- Neena Sharma S/o K.K. Sharma (Gujrati)  
R/o Vill. Jindrah, District, Jammu

V/s

PIO Revenue Department

Srinagar

18.06.2013

Smt. Neena Sharma filed an application before this Commission on 8.5.2013 stating therein that her application be treated as appeal under the State RTI Act for seeking certain information as listed in her RTI application dated: Nil. Though the applicant has been very casual in writing this application and has not clearly brought out the grounds of appeal, taking a liberal view the appeal is admitted with advice to the appellant that in future while filing second appeal in this Commission, a proper procedure as laid down in the Act read with Rules is followed.

2. After receiving her application the Registry of this Commission posted the appeal for hearing. Shri Altaf Ahmed Khan Deputy Secretary-cum-PIO Revenue Department attended the Commission. He had also sent his counter statement dated: 24.5.2013 which was delivered in this Commission on 12.6.2013. The PIO is advised that in future documents meant for this Commission if signed much earlier should reach this Commission within reasonable time. The appellant did not attend the hearing though he was informed about the date of hearing vide this Commission's Registry Notice No: 787-89 dated: 21.5.2013. However, she has been heard on phone.

3. The brief grounds of the appeal are that appellant has sent the RTI application, which is unfortunately undated, to the PIO Revenue Department, Jammu. When she did not receive any reply and response from the PIO, she dispatched first appeal in the name of " FAA Revenue Department, Jammu". After waiting again for some time, she preferred what she called second appeal in this Commission on 8.5.2013 seeking

a direction from this Commission to the FAA and PIO to provide the information as sought by the appellant. The PIO has informed this Commission that he did not receive the RTI application as filed by the appellant because the address shown in the RTI application is incomplete. By writing address as "Revenue office Jammu" the appellant does not ensure that her communication reached to the proper address. The PIO, therefore, is denying of having not complied with the provisions of law. Same is the fate of first appeal. The office of Revenue Department Jammu is situated in Civil Secretariat, Jammu. As per the receipt of India Post dated: 8.2.2013 address shown is "First Appellate Authority Revenue Department, Wazarat Road, Jammu". Hence obviously there could not be any response from the FAA. The second contention of the PIO is that the information so sought which has come to his notice only after he received notice from the Commission does not at all pertain to his office. The information pertains to the Social Welfare Department which is the competent authority to appoint any Commission etc; for declaring certain castes as backwards. In view of Section 6 of the State RTI Act, the PIO has forwarded the application of the appellant to the concerned authorities of Social Welfare Department with an intimation to the appellant. In view of these facts, the Commission does not pass any order against the FAA and PIO of Revenue Department. The PIO Social Welfare Department is directed to attend to RTI application of the appellant as per the provisions of the State RTI Act contained in Section 6 and 7 of the State RTI Act and pass order accordingly and intimate the appellant accordingly under an intimation to this Commission. The appellant is also advised that in future while dealing with the RTI Act it is to be ensured that the RTI applications are addressed to the concerned designated authorities on the proper and right address. The appeal is accordingly disposed of.

Sd/-

( G.R. Sufi )

J&K State Chief Information Commissioner

Copy to:-

1. First Appellate Authority, Revenue Department, Civil Secretariat, Srinagar
2. Public Information Officer, Revenue Department, Civil Secretariat, Srinagar
3. Public Information Officer, Social Welfare Department, Civil Secretariat, Srinagar
4. Neena Sharma, W/o K.K. Sharma, R/o Vill. Jindrah, District Jammu
5. Guard File
6. Private Secretary to Chief Information Commissioner

( Mohammad Syed Shah )

Registrar

J&K State Information Commission