



Jammu and Kashmir State Information Commission

(Constituted under Right to Information Act 2009)

Old Assembly Complex, Srinagar, Fax No. 0194-2506662, 2506661

Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937

www.jksic.nic.in

File No:
SIC/CO/SA/14/2012
Decision No: SIC/ CO/SA/14/2012/783

Appellant : Khurram Parvez

Respondent : PIO Home Department

Date of hearing : 05-08-2015

Date of Decision: 05-08-2015

Chief Information Commissioner: G.R. Sufi

Referred Sections: Section 5, 6, 7,16 of the J&K RTI Act, 2009.

Result: Appeal allowed/ disposed of.

Shri Khurram Parvez, a resident of the state has filed an RTI application before PIO Home Department on 17.10.2011 seeking certain information as per his RTI application. PIO, Office of the IGP CID J&K passed an order on 30.12.2011 informing the information seeker that "the matter has been examined and I am satisfied that disclosure of information sought would be prejudicial to the maintenance of public peace and tranquility as the anti national elements may use the same for incitement of commission of offence in the State" and accordingly the PIO invited the attention of the information seeker to section 8 (a) of J&K RTI Act, 2009. Aggrieved with the order of PIO, the information seeker filed first appeal before the FAA on 6.1.2012. The FAA adjudicated the first appeal vide his order dated: 13.03.2012. Again aggrieved with the order of the FAA, the information seeker filed an appeal in this Commission on 3.4.2012. The Commission heard this appeal from time to time and eventually passed an order on 5.6.2012 issuing certain directions for discloser of information as discussed in the said order. After the adjudication of

this appeal, the Commission was approached by the then DIG Police Headquarters J&K who was acting as FAA also with the prayer that orders passed on 5.6.2012 by the Commission may kindly be withdrawn on the basis of number of submission made in the application. The Commission had fixed the hearing on this matter from time to time and also sought the objections of the appellant. The DIG Administration PHQ was reminded as late as 14.11.2013 and through subsequent communications for their objections to the appellant's response on their application under consideration. Ultimately, the Commission was informed by the DIG office on 21.6.2015 followed by another communication on 28.7.2015 under No: PHQ/RTI-04/2012-1/230-231 that the PIO has been directed to provide the information. In view of these communications of the public authority, the application for withdrawing Commission's order has become infructuous and is hereby filed.

Sd/-
(G.R. Sufi)
Chief Information Commissioner

No: SIC/CO/SA/14/2012

Dt:

Copy to:-

- 1. Public Information Officer, Home Department, Civil Sectt. Srinagar**
- 2. Public Information Officer, office of the IGP, CID, Srinagar.**
- 3. DIG Police Headquarters, Srinagar**
- 4. Shri Khurram Parvez, House No: 1 Gupkar Road, Srinagar**
- 5. PS to Chief Information Commissioner**
- 6. Guard file**