



**Jammu and Kashmir State Information Commission**  
(Constituted under The Right to Information Act, 2009)  
**Wazarat Road, near DC Office Jammu, 0191-2520947, 2520937**  
**Old Assembly Complex, Srinagar, 0194-2506660, 2506661**  
[www.jksic.nic.in](http://www.jksic.nic.in)

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File No. SIC/K/SA/78/2015  
Decision No. SIC/K/SA/78/2015/82

Appellant : Mr. Dharam Paul Sharma  
Respondent : Accounts Officer State Life Insurance.  
Date of last hearing : 14.09.2015  
Date of decision : 14.09.2015

Brief facts of this case are that appellant sought information from PIO office of the chief Accounts Officer State Life Insurance Jammu and Kashmir Government, Srinagar under J&K RTI Act, 2009 through Indian Post on 12.02.2015 about action taken on the application submitted by him before CAO SLI on 21.11.2014.

Thereafter, First Appeal dated 18.03.2015 has been filed before FAA Office of State Life Insurance, J&K Srinagar alleging denial of information by PIO within prescribed period under the Act.

The Commission received Second Appeal on 11.05.2015 on the grounds that initially he was denied information by the PIO and thereafter FAA also did not respond to the First Appeal filed before him. That during pendency of the First Appeal he received a letter from Executive Engineer, Construction Division Leh addressed to the District Treasury Officer, Leh dated 27.03.2015 enclosing a statement of SLI deduction in favour of the appellant, but treasury voucher along with date of deduction of amount made is not given, which is the prior requirement of the appellant. The appellant has prayed that information be supplied without any further delay and PIO concerned be panelized under RTI Act for willful denial of the information.

In response to the notice of the Commission, Accounts Officer, SLI Srinagar filed counter statement dated 18.08.2015 submitting that the appellant was insured under application No. 207943-PWD while he was posted at R&B Const. Division Leh in 1986 for Rs. 9000/- with monthly premium of Rs. 30.95. With regard to issue of Policy Certificate, it is submitted that coverage of insurance is subject to deposition of 1<sup>st</sup> premium by DDO, subsequent to which policy certificate is issued on receipt of 1<sup>st</sup> premium certificate from DDO. That no such certificate has been issued either by DDO or by appellant, hence SLI could not issue policy certificate in favour of proponent. Moreover, the details of monthly deduction of premium, wherein all the information, such as Treasury Voucher No. etc. should be recorded, is required to be given by the DDO, so that ledger accounts of the policy holder could be maintained. PIO has further submitted that his office would update the accounts of the policy holder subject to providing of the required information. PIO has further submitted that application of the appellant dated 21.11.2014 could not be responded in time due to the fact that SLI Office was badly affected by the

floods of September, 2014. FAA/Joint Director SLI has also filed counter reply on the same lines as PIO.

The appellant has filed rejoinder which was received in the Commission on 03.09.2015. PIO admitted to have received copy of rejoinder from the appellant. The appellant has enclosed copy of salary statement from 6/1985 to 4/1987 indicating SLI deductions during this period. PIO pointed out that for issuance of policy certificate, the information provided is insufficient and submitted that details as given in the counter statement dated 18.08.2015 shall have to be provided by the appellant to enable respondents to issue Policy Certificate.

On his request, the appellant was heard on telephone from the Commission office at Jammu.

Upon perusal of the records and hearing of the parties, the Commission is of the view that information as asked for by the appellant has been given by the PIO in his counter statement dated 18.08.2015. Onus now lies on the appellant to produce necessary documents as per information provided to him to address his grievance.

During hearing it appeared that appellant is under the impression that Commission or Respondents are required to obtain documents for his Policy from other offices. It is clarified that under J&K RTI Act, the Public Authority or PIO is required to provide response on the basis of documents held by that Public Authority and not collect/collate details from other offices for redressal of grievances of the appellant.

The Commission has noted that RTI application dated 12.02.2015 sent through Post has not been disposed of within mandatory period prescribed under the Act. Accordingly, PIO SLI is directed to explain as to why proceedings under Section 17 of the Act shall not be initiated against him for prima-facie delay. His explanation, if any, should reach the Commission within two weeks from receipt of this order.

**Sd/-**  
**(Nazir Ahmad)**  
**State Information Commissioner**

**Copy to the:**

1. PIO/Accounts Officer State Life Insurance Corporation, Srinagar
2. Pvt. Secy to HSCI (K)
3. Sh. Dharm Paul Sharma S/o Sh. Behari Lal Sharma Trikuta Nagar,  
Jammu

**( G Q Bhat)**  
**Registrar,**  
**State Information Commissioner**  
**J&K Srinagar**