



Jammu and Kashmir State Information Commission

شہن ى كم شهن ى انفارم ٹى اسٹ رى كشم نڈى ا جموں

(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

File No. SIC/K/SA/07/2016

Decision No. SIC/K/SA/07/2016/08

Appellant : Mr. Abdul Majid Teli.
Respondents : PIO J&K Cements Ltd.
Date of Registration : 15.01.2016
Date of Decision : 20.04.2016

The appellant filed Second Appeal before the Commission on 15.01.2016 stating that he filed an application under J&K RTI Act, 2009 before PIO J&K Cements Ltd, but even after lapse of time period as provided in the Act, no information was provided, hence he was constrained to prefer First Appeal before FAA of J&K Cements Ltd. It is further submitted that as PIO and FAA have not responded as required under provisions of the Act, the appellant is constrained to file Appeal before the Commission with prayer that concerned officials be directed to provide requisite information to him and action for delay be also initiated.

As per records enclosed with the Second Appeal, appellant has filed an RTI application before PIO J&K Cements Ltd., Srinagar on 07.10.2015 seeking details of 6th Pay Commission arrears payable/amount w.e.f. January 20016 to July 2009. The appellant has subsequently filed First Appeal before FAA J&K Cements Ltd. on

17.11.2015 on the grounds of failure of PIO in providing the information.

In response to the notice of the Commission 19.01.2016, PIO J&K Cements Ltd. filed reply dated 28.01.2016 enclosing response to the RTI application dated 13.11.2015, wherein he has informed the appellant that the case for calculation of 6th Pay Commission arrears is under process but no time frame was given. During proceedings on 29.01.2016 PIO submitted that calculations of 6th Pay Commission arrears is being done by Finance Wing of the Corporation. Consequently, the Commission directed Financial Advisor J&K Cements Ltd. to file reply to the Commission with regard to time frame within which 6th Pay Commission arrears shall be calculated.

During proceedings on 29.03.2016, the Commission observed as under: -

“Respondents did not appear although notice was served to them through Process Server duly received by them on 09.03.2016.

Issue show cause notice to respondents for non-compliance of the direction of the Commission dated 08.03.2016 and for non-appearance before the Commission”.

In compliance to the notice of the Commission dated 29.03.2016, PIO/Manager P&A vide letter dated 18.04.2016 filed his explanation stating that due to abrupt and sudden problem related to the Cement Plant at Khrew, he alongwith other concerned officers could not appear before the Commission on the said date and expressed his regrets. PIO further submitted that he reported to the Commission on 20.04.2016 as directed.

PIO has enclosed a communication from Dy. Manager (Finance) J&K Cements Limited dated 20.02.2016 regarding 6th Pay
(2)

Commission arrears concluding therein that pay fixation arrears shall be submitted before 31st May 2016.

Since Dy. Manager (Finance) has filed written reply as was directed by the Commission on 29.01.2016, the Appeal filed before the Commission is disposed of with the directions to the PIO to provide a copy of letter dated 20.02.2016 of Dy. Manager (Finance) to the appellant at the conclusion of hearing.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the: -

1. Manager Personnel & Administration, J&K Cements Ltd., Sonawar Srinagar.
2. Private Secretary to Hon'ble State Information Commissioner.
3. Mr. Abdul Majid s/o Ghulam Mohammad Teli c/o Sadder Court, Plot No. 48, Sanat Ghar, Bemina, Srinagar.

(M.S. Bhat),
Deputy Registrar,
State Information Commission