



Jammu and Kashmir State Information Commission

شنیشن کمیٹی انفارمیری اسٹینڈ کشمیر جموں ا

(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/Comp/06/2016

Decision No. SIC/K/Comp/06/2016/31

Appellant : Mr. Irshad Ahmad Dar,

Respondent : PIO SKIMS Soura.

Date of Decision : 10.05.2016

Brief facts of the case are that complaint has been filed before the Commission on 15.02.2016 on the ground that PIO SKIMS failed to provide information within prescribed time and he filed First Appeal against PIO on 30.11.2015 That on 14.12.2015 he received the information from PIO but the information was tempered, invisible, insufficient and incomplete. The applicant has prayed the Commission to look into the matter personally so that the ends of justice can be met.

In compliance to the notice of the PIO SKIMS filed reply/counter statement dated 22.04.2016 interalia submitting as under: -

1. *“The information seeker filed basic RTI application on 28.10.2015 and registered under RTI no. 438 and forwarded the same to Sr. Admn. Officer (Pol) SKIMS on 31.10.2015 for desired information.*

2. *The information was received from Admn. Officer (Per) on 23.11.2015 and from Admn. Officer (Pol) on 04.12.2015, the same information consisting of 61 pages was forwarded to information seeker on 08.12.2015 free of documentation charges (copy enclosed).*
3. *The information was to be provided within 35 days i.e. upto 04.12.2015 as the application was forwarded to another unit. There were public holiday on 05 and 06.1.22015. as such the information was sent on next date. There is hardly any delay in releasing information and that too without documentation charges.*
4. *The First Appeal was filed prematurely without waiting for 35 days' time i.e. upto 04.12.2015”.*

During proceedings, appellant admitted to have received the information. However, drew attention of the Commission towards candidate at S. No. 6 of the order dated 02.02.2015 namely Aamir Hussain Khan s/o Ghulam Hassan Khan r/o Budderkund Ganderbal. Appellant produced copy of letter dated September 8, 2015 from Director SKIMS to the address of Inspector General of Police, Crime Branch J&K on the subject “*lodging of FIR against the culprit who produced tempered Marks Certificates*” which includes the name of Aamir Hussain Khan and reference of verification conducted by Board of School Education vide letter No. F(JS-ver.) B/KD/2015/0-107 dated 05.08.2015 stating that appointment of above orderly has been cancelled vide order dated 01.09.2015 and requested for lodging FIR against the said person. The appellant submitted that in response to Para-2 of the RTI application, he has not been provided copy of verification report dated 05.08.2015 received from BOSE. The appellant alleged that letter dated September 8, 2015, of Director SKIMS, has also not

been sent to the IGP Crime Branch. However, he could not substantiate this allegation.

From reply of the PIO and upon hearing of the appellant, the Commission has come to the conclusion that though information in respect of candidate figuring at S. No. 6 of the appointment order dated 02.02.2015 has also been provided through another application, the appellant wanted copy of letter under which his certificate was declared not-genuine by BOSE vide letter dated 05.08.2015.

In view of above, PIO SKIMS is directed to provide attested copy of the letter dated September 8, 2015 of Director SKIMS and letter received from BOSE dated 05.08.2015 to the appellant within two weeks.

With above directions, complaint filed before the Commission is disposed of.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the: -

1. PIO SKIMS Soura.
2. Private Secretary to Hon'ble State Information Commission, Srinagar.
3. Mr. Irshad Ahmad Dar s/o Ghulam Ahmad Dar r/o Arch Ganderbal.

(G.Q. Bhat)
Registrar,
State Information Commission