



**J&K State Information Commission
Wazarat Road, Near D.C. Office, Jammu /
Old Assembly Complex, Srinagar.**

File No. SIC/K/SA/78/2016
Decision No. SIC/K/SA/78/2016/**67**

Appellant : Sh Gh. Nabi
Respondent : FAA/PIO Medical Superintendent ASYM
Hospital Distt. Budgam
Date of Institution: 27.06.2016
Date of Decision: 03.11.2016

Brief facts of the appeal are that appellant has filed second appeal on 18.04.2016. On scrutiny, some deficiencies were found in the appeal and the appellant completed the deficiencies on 22.06.2016. The appellant has submitted that PIO ASYM District Hospital Budgam has not furnished the desired information sought under RTI application dated 02.02.2016 within stipulated period of 30 days. That thereafter he has filed First Appeal before FAA on 05.05.2016 addressed to designated FAA, even then the process has been repeated by not furnishing any information till date. The appellant has requested the Commission to take necessary steps and provide him the information sought.

As per the records, the appellant has filed an application dated 02.02.2016 in the office of PIO ASYM District Hospital Budgam seeking

information on 2 points regarding supply order dated 20.05.2014 and related matters.

Mr. Mohammad Ashraf Wani, Medical Officer ASYM Hospital Distt. Budgam attended on behalf of PIO/Medical Superintendent ASYM Hospital Distt. Budgam. Medical Officer submitted that information sought by the information seeker has been dispatched under letter dated 29.10.2016 and the appellant was called to collect the information. But the appellant reportedly refused to receive the information.

Perusal of information dated under letter 29.10.2016 reveal that this is in reference to letter dated 05.05.2016 i.e., date on which appellant has filed First Appeal before designated FAA/Medical Superintendent ASYM Hospital Distt. Budgam. The reply furnished by the Medical Superintendent indicates that payment against supply order dated 20.05.2016 has been made in his payee account on 30.08.2016 through cheque for an amount of Rs 51,000/- . As regards information sought at other points, photo copy of Rate Contract and payment made to all printing items from January 2015 till date is enclosed. The Commission is therefore satisfied that information as sought by the appellant has been furnished by the Medical Superintendent. However, PIO/Medical Superintendent ought to have dispatched information through prescribed mode of services. Accordingly, he is directed to send information dated 02.02.2016 through registered post within one week and file compliance reply before the Commission.

As per records, no evidence has been brought before the Commission by the Medical Superintendent/PIO that he has responded to application dated 02.02.2016 before 29.10.2016.

In view of the above, the Commission directs Medical Superintendent ASYM Hospital Distt. Budgam to explain as to why penalty proceedings under

provisions of the J&K Act shall not be initiated against him. His explanation, if any, should reach the Commission within three weeks.

With these directions, the appeal filed before the Commission is disposed of.

Sd/-
(Er. Nazir Ahmad)
State Information Commissioner

No. SIC/K/SA/78/2016

Dated: -11-2016

Copy to the:-

1. PIO/ Medical Superintendent ASYM Hospital Budgam
2. Pvt. Secretary to HSIC(K)
3. Smt Gh. Nabi Prop of M/S Oxford Printing Press Solina, Srinagar
4. Guard File.

(M. S. Bhat)
Dy. Registrar,
J&K, State Information Commission