



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

File No. SIC/SA/CO/378/2016

Decision No. SIC/SA/CO/378/2016/919

Appellant : Ulfat Majnoon
Respondents : FAA/PIO HCM's Secretariat

Date of Registration : 03.06.2016

Date of Decision : 27.09.2016

The appellant preferred Second Appeal in the Commission against the FAA/PIO HCM's Secretariat on the ground that FAA/PIO has refused to provide him the information in response to his RTI application and also against FAA for not responding to his First Appeal filed on 24.03.2016. Accordingly, the appeal is filed to provide information and penalize PIO.

As per record, appellant had filed RTI application with PIO Chief Minister's Secretariat dated 06.01.2016 through Post on 13.02.2016 seeking information regarding appeal pertaining to victimization by officials of DSEK and JK SVO. Thereafter, appellant filed First Appeal before the FAA dated 18.03.2016 through post on 24.03.2016 for providing him the requisite information and also for taking disciplinary action against the PIO.

In response to the notice of the Commission dated 08.06.2016, Shri Israr Ahmad PIO HCM's Secretariat filed reply dated 10.06.2016 interalia stating that

mailing dates of RTI application/First Appeal mentioned by appellant are 13.02.2016 and 24.03.2016 respectively and this is the period when CM's Secretariat was not existing in the Secretariat due to imposition of Governor's Rule in the State of J&K. He has further submitted that all the record pertaining to RTI Section in CM Secretariat has been searched and no such communication has ever been received in the office. It is further submitted that allegations/grievances of the applicant that this office has not responded, is not based on facts. Hence, may kindly be rejected.

Mr. Pankaj Kumar Sharma FAA/Additional Secretary and PIO Mr. Israr Ahamd, PIO HCM's Secretariat attended the hearing today on 27.09.2016. The appellant failed to attend the hearing although notice for appearance was sent to her vide notice dated 19.06.2016.

During proceedings in the Commission on 16.06.2016 opportunity was given to the appellant to file objections within two weeks conveyed through notice dated 29.08.2016. The appellant was further advised to send copy of appeal regarding "victimization by officials of DSEK & JKSV" as referred to in the RTI application to the PIO in the HCM's Secretariat. The FAA HCM's Secretariat informed the Commission that they have neither received objections nor copy of the appeal from appellant as directed by the Commission.

In view of the above no further proceedings in case are warranted and appeal is disposed of.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the: -

1. FAA/Addl. Secretary Hon'ble Chief Minister's Secretariat
2. PIO/Under Secretary Hon'ble Chief Minister's Secretariat
3. Private Secretary to HSIC(K)
4. Ulfat Majnoon D/o Mohammad Majnoor Khan R/o Qasba Hyhama Kupwara

(Sheikh Fayaz Ahmad)
Registrar,
State Information Commission