



Jammu and Kashmir State Information Commission

(Constituted under Right to Information Act 2009)

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File No: SIC/J/A/93 /2017

Decision No: SIC/J/A/93 /2017/392

Sh. Shiv Shanker Sharma	Appellant	Absent
Sh. Vivek Slathia	Public Information Officer-I	Present
Date of Registration:	14 / 02 / 2017	
Date of decision:	30/ 03 / 2017	

Brief Facts of the Case:

The appellant filed 2nd appeal under section 16(4) of the J&K RTI Act, 2009 before the State Information Commission on 14.2.2017, submitting that he filed an RTI application before the Public Information Officer (PIO) University of Jammu through registered post on 14.9.2016 seeking information in two parts, part-A concerning his representation and part-B regarding inter - campus migration norms of the University of Jammu.

The appellant submitted that the PIO vide No. PIO/JU/16/716 dated 04.10.2016 provided incomplete information. Against that he preferred 1st appeal before the First Appellate Authority (FAA), University of Jammu on 09.10.2016. The First Appeal was decided by the FAA vide No. FAA/16/221-22 dated 15.11.2016 with direction to all the concerned officer/sections to furnish the requisite information to the appellant within seven days time from the date of his order.

PROCEEDINGS

In compliance to the hearing notice of the Commission dated 20.3.2017, Sh. Vivek Slathia (PIO-I) University of Jammu and Sh. Shiv Shanker Sharma

(Appellant) appeared before the State Information Commission on 30.3.2017. The PIO submitted that he has collected the requisite information from the concerned officer and same has been forwarded to the appellant. Whatever information was available with his office will be provided to appellant and there is nothing to hide from the appellant. The appellant stated that the information provided by the PIO is only concerning to queries in Part-A of the RTI application but information sought under Part-B of the application has not been provided. The PIO is silent about Part-B. As such, only part information has been provided by the PIO, University of Jammu.

The PIO during the course of hearing placed before the Commission the reply to the 2nd appeal of the appellant and same is taken on record. The PIO inter alia submitted in his reply that he was not the custodian of the requisite information. However, all efforts were made to gather the information promptly from the concerned officer and make it available to the appellant.

The appellant stated during the hearing that he was seeking information pertaining to migration of students from one campus to another of the Jammu University as the University was not following any uniform procedure in this regard. He admitted that his own son was seeking migration from one campus to another. He cited the example of one candidate who had been allowed migration on the grounds of sickness of her mother.

After hearing both the parties, that is the PIO and the appellant, it was clear that the University had failed to provide the information pertaining to the names of the candidates who had submitted representation for migration and the decisions taken on their representation.

The case was disposed of with direction to the PIO-I, University of Jammu to collect the copies of representation for migration made by candidates before the University and provide the same to the appellant within 15 days from the date of issue of this order. And also provide the copies of the decision taken by the university on such representations.

The appeal is accordingly disposed of.

Copy of this decision be given free of cost to the parties.

Sd/-
(Khursid A. Ganai) IAS Retd.
Chief Information Commissioner
J&K State Information Commission

No: SIC/J/A/93/2017/_____

Dated; /04/2017

Copy to:

1. Registrar University of Jammu/FAA for information and compliance.
2. University of Jammu /PIO-I for information and compliance.
3. Sh.Shiv Shanker Sharma R/o Village Karayara, Tehsil Hiranagar.
4. Office file.

(Dr.Gh.Mohi-Ud-Din)
Jt.Registrar
J&K State Information Commission