



**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](http://www.jksic.nic.in)

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File No. SIC/CO/SA/420/2016  
Case No. SIC/ CO/SA/420/2016/947

Appellant : Ms. Shashi Bala.  
Respondent : Public Information Officer (PIO) PHQ.  
Date of decision : 27-04-2017  
Decision : Appeal disposed of.

**I. Brief facts of the case.**

The Appellant filed RTI application dated 06-07-2016 with PIO O/o DGP, J&K seeking information on 29 points. Thereafter she approached the 1<sup>st</sup> appellate authority by filing 1<sup>st</sup> appeal on 23-08-2016 against the alleged inaction of the PIO in furnishing her the requisite information. At last the appellant filed 2<sup>nd</sup> appeal before the Commission with the request to get her the information provided from the respondents.

**I. Proceedings before the Commission.**

The case was listed for final hearing before the Commission on 27-04-2017 which was attended by Sh. Kulbir Singh PIO, Police Hqrs , Miss Sughandha, PIO District Police Office (DPO), Jammu, Sh. Atta-u-llah Shah Inspector, (PHQ) and also by the authorized representative of the appellant. The First Appellate Authority (FAA) did not cause his appearance despite notice served upon him through prescribed mode of service.

The Authorized Representative of the appellant submitted that he has not been furnished the whole information. PIO PHQ, furnished copy of the written statement dated 26-04-2017 wherein he states that after receipt of instant RTI application dated 06-07-2016 the applicant was informed that the information sought by her is no information. He further states that a copy of the RTI application was forwarded to the PIO District Police Office (DPO), Jammu for further disposal who has provided all the information point wise except for the information at point No. 1,2,16,17,23,26 and 27 of the application. With regard to point no 1 he states that an enquiry was conducted through CID which stands communicated to the applicant vide his office letter dated 18-04-2017. The information at points no

2,16,17 and 26 pertains to PIO, DPO, Jammu. With regard to point 23 he states that it pertains to CID and point no 27 has been referred to IGP, Jammu for enquiry which is still awaited.

The respondents further submitted that they have not received any 1<sup>st</sup> appeal from the appellant. However, this contention was rebutted by the appellant, who also submitted a rejoinder dated 27-04-2017.

II. **Decision:**

**PIO , District Police Office (DPO) who was present is directed to provide the balance information to the appellant within 15 days from the receipt of this order. Simultaneously, the PIO of the PHQ is directed to collect the balance information from the IGP (Jammu) and the CID and provide the information so made available to the appellant, preferably within a period of 30 days from the date of this order.**

**The Commission has taken a serious note of the non-appearance of FAA on the date of hearing before the Commission. FAA is one of the important pivots in the scheme under the J&K RTI Act, 2009 for provision of information to the information seeker and his/her presence becomes necessary as 2<sup>nd</sup> appeal originates from the decision of the FAA. FAA is therefore, advised to desist from remaining absent in future hearings before the Commission . this may also be brought to the notice of the DGP (J&K) for appropriate action.**

**Hence, 2<sup>nd</sup> appeal is disposed of subject to above directions.**

-sd-

(Khurshid A. Ganai) IAS Retd.,  
Chief Information Commissioner.

Copy to the:

1. Director General of Police, PHQ, J&K for compliance of the order.
2. First Appellate Authority (FAA), IGP CIV, PHQ for compliance of the order.
3. Sh. Kulbir Singh PIO, PHQ for compliance of the order.
4. Ms. Sughanda, PIO District Police Office, Jammu for compliance of the order.
5. Ms. Shashi Bala, President, Barav, Kali mandir Dream City, Muthi, Jammu for information.
6. Guard file.

(Shiekh Fayaz Ahmad)  
Registrar,  
JK State Information Commission.