



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/K/SA/15/2017
Case No. SIC/K/SA/15/2017/07

Appellant : Sh. Bilal Ahmad Lone
Respondents : PIO of ACD office Kulgam /FAA i.e.
AC(D) Kulgam
Date of decision : 15.05.2017
Decision : Appeal disposed of.

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

The brief facts of the case are that the appellant Shri Bilal Ahmad Lone has filed 2nd Appeal before the Commission on 03.01.2017 against the order of Public Information Officer (PIO) of the AC(D) office Kulgam and that of First Appellate Authority (FAA)/ AC(D) Kulgam. The appellant has alleged that PIO O/o Assistant Commissioner Development has failed to provide him the information sought vide application dated 16.05.2016. Thereafter FAA also did not provide him the requisite information. The appellant has requested the Commission to issue directions to the concerned PIO to provide him the requisite information at the earliest without any further delay.

As per the records the appellant has filed an application addressed to PIO of the office of ACD Kulgam reportedly received in

his office on 16.05.2016 for seeking information about action taken report on Govt. order No. 135 of 2015 dated 24.04.2015 related to engagement of Accountant cum Data Entry Operators. Thereafter, he has filed first appeal before the FAA on 24.06.2016. Subsequently, he filed 2nd appeal before the Commission against the alleged inaction of FAA & PIO of the office of ACD Kulgam. On scrutiny the 2nd appeal was found barred by limitation in terms of Section 16(4) of J&K RTI Act, 2009. The Commission was pleased to condone the delay and appeal was admitted on 16.03.2017.

II. **Proceedings before Commission.**

Assistant Commissioner Development, Kulgam Sh. Davinder Pal Singh and appellant Shri Bilal Ahmad Lone attended the hearing. The ACD, Kulgam submitted before the Commission that he has provided point wise response to queries of the applicant raised in his RTI application. The appellant admitted to have received the copy of information dated 19.04.2017 from Assistant Commissioner Development P.O.W.E Kulgam. However, he has alleged that full information has not been provided to him. The queries of the appellant raised in his original RTI application as well as the response of the ACD Kulgam dated 19.04.2017 were perused and it was found that query Nos. 1 and 2 have been responded and required information provided to the appellant. However, with respect to query No. 3 information has not been provided to the appellant in full because the total amount released in favour of each selected candidates since his/her appointment has not been indicated.

III. **Decision:**

After hearing both the parties at length the following directions are hereby issued:-

1. *Assistant Commissioner Development, Kulgam is directed to provide complete information to the appellant with respect to query No. 3 of his RTI application as per the records. During the hearing, he agreed to do so.*
2. *Assistant Commissioner (Development), Kulgam is directed to examine the setup of the RTI Cell and streamline its working within his office so that timely response is given to the applications submitted under RTI Act.*
3. *Deputy Commissioner Kulgam is also directed to examine the working of RTI cells in different Governmental in district Kulgam and ensure that the Public Information Officers (PIOs) and the First Appellate Authorities (FAAs) are designated/ appointed and also notified by each Public Authority for the information of general public. The list of designated First Appellate Authorities, Public Information Officers and Assistant Public Information Officers should be available for information of the general public on the DC office website and at some conspicuous place in the premises of office of each Public Authority so that the information seekers may not have to face*

*difficulties in filing applications/ first appeals under
the provisions of the J&K RTI Act, 2009.*

Directions at (1) and (2) above be complied within two weeks from the date of issue of this order. Direction at (3) be complied within four weeks from the date of issue of this order and a compliance report submitted to the Registrar J&K State Information Commission.

The appeal is accordingly disposed of.

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

No. SIC/K/SA/15/2017

Dated : .05.2017

Copy to the:-

1. Deputy Commissioner, Kulgam.
2. Assistant Commissioner (Development) -cum-First Appellate Authority, Kulgam.
3. Public Information Officer of ACD Office Kulgam.
4. Pvt. Secretary to HCIC
5. Sh. Bilal Ahmad Lone S/O Gh. Hassan Lone R/O Boh, D.H. Pora, Kulgam.
6. Guard File.

(Sheikh Fayaz Ahmad)
Registrar,
J&K State Information Commission.