



**Jammu and Kashmir State Information Commission**

شہنیشن کمیٹی انفارمیری اسٹینیٹ کشمیری جموں ا

(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/465/2017

Decision No. SIC/CO/SA/465/2017/974

**Final Order**

**(2<sup>nd</sup> Appeal)**

Appellant : Sh. Munier Hussain Paswal

Respondent : First Appellate Authority (FAA)/  
Additional Secretary, Health and Medical  
Education Department and  
Public Information Officer (PIO)/  
Director Health Services, Jammu.

Date of Registration : 28.04.2017

Date of Decision : 29.06.2017

**Brief Facts:**

The appellant Sh. Munier Hussain Paswal C/o. State Vice President All J&K Dodhi Banyare Association, Village Kuva, Tehsil Manka, District Poonch filed RTI application dated: 10.06.2016 with the Directorate of Health Services, Jammu seeking various types of information on 44 points. The PIO of the Directorate did not furnish his reply which resulted in filing of the First Appeal. The appellant filed First Appeal with the Commissioner/Secretary, Health & Medical Education Department, J&K on

22.08.2016 with the request to provide him the requisite information. At last, appellant filed 2<sup>nd</sup> appeal requesting the Commission to direct the respondents for providing him the requisite information.

**Proceedings:**

The case was listed for final hearing before the Commission on 29.06.2017. The hearing was attended by Sh. Naseer Ahmad Wani, Additional Secretary-cum- FAA, Health and Medical Education Department, J&K and Dr. Murtaza, PIO, Health and Medical Education Department, J&K. The appellant was heard from the Jammu office of the Commission.

FAA and PIO, Health and Medical Education Department submitted that the appellant had filed RTI application with Directorate of Health Services, Jammu as such he was supposed to file First Appeal with that Public Authority itself. However, he wrongly filed First Appeal with O/o. Commissioner/Secretary, Health and Medical Education Department. They further submitted that their Department after perusal of the First Appeal disposed of the same with the direction to the appellant to approach the FAA of the Director, Health Services, Jammu as the matter pertained to their office. Respondents have submitted written statement as well in favour of their contention. Appellant was also heard. He was informed that he should have filed First Appeal with the concerned Public Authority i.e. Director, Health Services Jammu where he had filed his basic RTI application. He requested for directing the PIO concerned to provide the requisite information.

**Decision:**

**After hearing the parties and on perusal of the record, the Commission directs the PIO, Directorate of Health Services, Jammu to provide the requisite information to the appellant, as sought by him in his RTI application in terms of the provisions of the J&K RTI Act, 2009 within 15 days from the date of receipt of this order.**

The appeal is accordingly disposed of.

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

**Sd/-**

**(Khurshid A. Ganai) IAS Retd.**  
Chief Information Commissioner  
J&K State Information Commission

(P.A. Ajay)

No: SIC/CO/SA/465/2017\_\_\_\_\_

Dated: . .2017

Copy to:

1. FAA/Additional Secretary, Health and Medical Education Department, J&K Civil Secretariat, Srinagar for information.
2. PIO, Health and Medical Education Department, J&K Civil Secretariat, Srinagar for information.
3. PIO, Directorate of Health Services, Jammu for information and further necessary action.
4. PS to HCIC for information.
5. Appellant/Sh. Munier Hussain Paswal, C/o. State Vice President All J&K Dodhi Banyare Association, Village Kuva, Tehsil Manka, District Poonch for information.
6. Office file.

(Sheikh Fayaz Ahmed)  
Registrar  
J&K State Information Commission