



**Jammu and Kashmir State Information Commission**

شہنیشن کمیٹی انفارمیری اسٹیٹسٹ 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/J/C/4/2017

Decision No. SIC/J/C/4/2017/34

**Final Order**  
**(Complaint)**

Complainant : Sh. Vilakshana Singh

Respondent : Public Information Officer (PIO),  
Administrative Officer, Government Medical  
College, Jammu

Date of Receipt : 11.08.2017

Date of Decision : 07.09.2017

**Brief Facts:**

This is a complaint filed under section 15 of the J&K RTI Act, 2009 (Act for short) by Sh. Vilakshana Singh, S/o. Lt. Sh. Jagdish Singh Dogra R/o Sidhra By Pass, Jammu on 11.08.2017 interalia alleging that he filed an RTI application with the Public Information Officer (PIO), Government Medical College (GMC), Jammu on 27.06.2017. Aggrieved by the incorrect disposal of the PIO he filed a complaint before the State Information Commission (SIC).

## **Proceedings:**

In compliance to the notice of the Commission Ms. Kiran Raina, Administrative Officer, GMC, Jammu-cum-PIO and the complainant attended the hearing. The complainant reiterated his statements made in the complaint filed before the Commission that if the PIO, GMC felt that the information pertained to another Public Authority i.e. Administrative Department then she should have transferred the RTI application to the Administrative Department under section 6(3) within five days after submission.

The arguments of both the parties were heard at length.

## **Decision:**

In view of the submissions made by the PIO and the complainant, the PIO, GMC, Jammu is directed to now transfer the RTI application to the Administrative Department i.e. Health and Medical Education Department, Civil Secretariat, Srinagar immediately and certainly by or before 11.09.2017 positively. The Administrative Department will dispose of the transferred application as per the provisions of the Act and the Rules within 30 days from the date of receipt from the GMC, Jammu.

Section 17 of the J&K RTI Act prescribes various options to the SIC for taking action against the erring PIO by way of either imposing penalty or recommending disciplinary action. Although, the PIO has been found to

have committed an error of judgement, it does not automatically warrant action under section 17 but she is warned to act cautiously while handling RTI applications. She has assured to remain careful in future.

With these directions the complaint is 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

No: SIC/J/C/4/2017\_\_\_\_\_

Dated: . . .2017

Copy to:

1. Registrar, J&KSIC for information and necessary action.
2. PIO/Administrative Officer, Government Medical College, Jammu for information and necessary action.
3. Private Secretary to HCIC for information of the HCIC.
4. Appellant/Sh. Vilakshana Singh, S/o. Lt. Sh. Jagdish Singh Dogra, R/o. Sidhra By Pass, Jammu.
5. Office file.

(Rita Koul)  
Deputy Registrar  
J&K State Information Commission