



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/45/2017

Decision No. No. SIC/K/SA/45/2017/**37**

Appellant: Dr. Suhail Amin Patigaroo

Respondent: First Appellate Authority (FAA)/Principal SKIMS Medical College Srinagar/Public Information Officer (PIO)/ Medical Superintendent, SKIMS Medical College

Date of Registration : 24.07.2017

Date of Decision : 11.09.2017

Brief Facts:

The brief facts of the case are that Dr. Suhail Amin Patigaroo filed 2nd appeal against the PIO/FAA SKIMS Medical College Srinagar on 04.07.2017 on the ground that in response to his RTI application dated 29.04.2017, PIO vide letter dated 04.05.2017 provided him irrelevant information to point No. 1 of his RTI application. It is submitted by the appellant that thereafter he met with the Administrative Officer in his office Chambers on 24.05.2017 and clarified to him about the irrelevant information, but correct information has not been provided to him. Later on in response to

the First appeal, he received reply dated 30.06.2017 from the First Appellate Authority (FAA) which is completely incorrect. The appellant has requested the Commission to take necessary action against the PIO with direction to provide him the information sought.

As per the records, the appellant vide RTI applicant dated 29.04.2017 has sought following information from the PIO SKIMS Medical College:

- 1. In response to advertisement No.01 SKIMS-MC of 2014 dated 25.02.2014 where by two posts of lecturer in Chest Medicine were advertised:
 - A. Number and names of candidates who applied in response to this notice*
 - B. Number and names of candidates who were eligible as per the criteria laid in this advertisement.*
 - C. Number and names of the candidates who applied against this advertisement but were ineligible and the reason for their ineligibility.**
- 2. When (date) Dr. Mir Elias joined lecturer in Chest Medicine on academic arrangement basis, selected for the post of lecturer vide order No. SKIMS-MC 474 of 2016 dated 28.12.2016*

Dr. Shafa A Deva Incharge Medical Superintendent/PIO vide letter dated 04.05.2017 responded to the RTI application and has enclosed the information received from the Administrative Officer, SKIMS. Not satisfied with the reply of the PIO, the appellant filed First Appeal before the FAA on 16.06.2017. In response to the First Appeal, the PIO vide letter dated 30.06.2017 enclosed the copy of the information dated 22.06.2017 signed

by the FAA/Principal SKIMS Medical College. The appellant was not satisfied with the reply of the FAA and accordingly filed the instant 2nd appeal. On scrutiny of the documents of the 2nd appeal, some deficiencies were found, which the appellant got completed on 24.07.2017.

Proceedings before the Commission:

The 2nd appeal came up for the hearing today on 11.09.2017. Dr. Shafa A Deva PIO/Medical Superintendent, SKIMS Medical College, Bemina, Srinagar attended the hearing. The PIO during hearing produced copy of the letter dated 09.09.2017 from Dr. Reyaz Ahmad Untoo, Principal SKIMS Medical College, Bemina, Srinagar/FAA in which the FAA sought exemption from personal appearance before the Commission on the date of hearing on account of his pre-occupation with some inaugural function at SKICC Srinagar to be chaired by the Hon'ble Governor.

The PIO submitted during the hearing that information sought by the appellant has been collected from the Administrative Officer and forwarded to him within the stipulated time. The appellant admitted to have received the information and submitted that information has been provided to him in respect of Advertisement No.2 SKIMS-MC of 2015 dated 16.05.2015, however, he had sought the information pertaining to Advertisement No. 1 SKIMS-MC of 2012 dated 25.02.2014.

DECISION:

Heard Parties at length and perused record. The appellant vide RTI application dated 29.04.2017 has sought information vis-à-vis Advertisement No. 1 SKIMS-MC of 2014 dated 25.02.2014. The PIO is directed to provide to the appellant parawise information pertaining to this

RTI application in terms of the provisions of the J&K RTI Act and the Rules including Section 7(9) of the Act within three weeks from the date of receipt of this order.

The 2nd appeal filed before the Commission is accordingly disposed of.

Sd/-
(Khurshid A. Ganai) *IAS Retd*
Chief Information Commissioner

Copy to the:-

1. Public Information Officer (PIO)/ Medical Superintendent, SKIMS Medical College, Bemina, Srinagar
2. Appellant- Dr. Suhail Amin Patigaroo R/o H No.77 Alnoor Colony (West) Bypass Hyderpora
3. Office file

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