



Jammu and Kashmir State Information Commission

شنیشن 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

File No. SIC/J/A/22/2017

Decision No. SIC/J/A/22/2017/42

Final Order

(Second Appeal)

Appellant : Sh. Avinash Razdan

Respondents : First Appellate Authority (FAA)/
Public Information Officer (PIO), Government
Medical College, Jammu

Date of Registration : 02.05.2017

Date of Decision : 01.09.2017

Brief Facts:

The appellant Sh. Avinash Razdan, S/o. Late Sh. Mohan Lal Razdan, R/o. 783, Subash Nagar, Jammu while exercising his right to information filed an RTI application dated: 09.02.2017 under section 6 of the J&K Right to Information Act, 2009 (hereinafter Act for short) with the PIO, Government Medical College, Jammu seeking the following information:

- (i) *Provide the monthly attendance received for salary withdrawal of the doctors of the Department of Neurology for all the months of year 2016.*

- (ii) *Provide the Monthly Attendance for salary withdrawal of the Consultant Doctors, Registrar Doctors, Assistant Professors/Lecturers and Professors, sent by the Head of the Department of Post Graduate Department of Medicine for the following months:-*
- a) October 2007, November 2007, December 2007.*
 - b) March 2008, April 2008, May 2008, June 2008, July 2008, October 2008, November 2008, December 2008.*
 - c) January 2009, February 2009, March 2009, April 2009, May 2009, August 2009, September 2009, October 2009, November 2009.*
 - d) January 2010, February 2010, March 2010, April 2010, June 2010, August 2010, September 2010, November 2010.*
 - e) February 2011, March 2011, April 2011, May 2011, July 2011, August 2011, September 2011, October 2011, December 2011, February 2012, March 2012, April 2012.*
 - f) 1st June to 31st December, 2016.*

Aggrieved by the non-response of the PIO within the stipulated time, the appellant filed First Appeal with the FAA/Principal, Government Medical College, Bakshi Nagar, Jammu on 13.03.2017 which as per record available on file remained undisposed. At last, the appellant approached the State Information Commission (SIC) by filing 2nd appeal which was received in the Commission on 02.05.2017.

Proceedings:

This 2nd appeal was filed in the SIC on 02.05.2017 but owing to the need for conduct of adequate number of hearings for appropriate and final disposal of the appeal, the time period for the disposal was extended by another 60 days upto a maximum of 120 days from the date of filing the appeal in terms of section 16(11) of the J&K RTI Act, 2009.

The case was listed for the first time before the SIC on 01.08.2017 and the hearing was adjourned with directions to the PIO to deliver a copy of the information compiled by her to the appellant.

The case was again listed on 01.09.2017. The PIO was heard through Video Conferencing from Jammu office of the Commission. The appellant was not present. During the hearing, the PIO submitted that she has provided the requisite information to the appellant as per the directions of the SIC.

Decision/Directions:

In view of the averments made by the PIO that the requisite information, as sought by the appellant/applicant, has been provided to him and the absence of the appellant from the hearing, there is nothing to presume contrary to the assertion made by the PIO that the information sought by the appellant in his RTI application has been provided to the appellant. Accordingly, there seems to be no need for further directions to the PIO as she has already complied with the directions of the SIC passed in the interim order dated: 01.08.2017.

With these observations the second appeal 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

Dated: . . .2017

No: SIC/J/A/22/2017 _____

Copy to:

1. Registrar, J&KSIC for information and necessary action.
2. FAA/Principal, Government Medical College, Bakshi Nagar, Jammu for information.

3. PIO/Administrative Officer, Government Medical College, Jammu for information.
4. Private Secretary to HCIC for information of the HCIC.
5. Appellant/Sh. Avinash Razdan, S/o. Late Sh. Mohan Lal Razdan, R/o. 783, Subash Nagar, Jammu.
6. Office file.

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