



Jammu and Kashmir State Information Commission

جموں اینڈ کشمیر اسٹیٹ انفارمیشن کمیشن

(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/60/2017

Decision No. No. SIC/K/SA/60/2017/51

Final Order

Appellant: Mr. Gh. Mustafa Shah S/o M. Maqbool
Shah R/o Samandar Bagh, S.P.College
Road, Srinagar

Respondent: First Appellate Authority (FAA)/Deputy
Registrar, Public Information Officer
(PIO)/RTI Cell, University of Kashmir,
Srinagar

Date of Registration : 18-08-2017

Date of Decision : 20-10-2017

Brief Facts:

The brief facts of this 2nd appeal are that the appellant Professor Ghulam Mustafa Shah filed the 2nd appeal before the Commission against the FAA/PIO University on 18.08.2017 alleging therein that the PIO University of Kashmir has failed

to respond to his RTI application filed on 15.05.2017 within the stipulated time. Thereafter, the FAA has disposed of his First Appeal vide order dated 11.07.2017 with directions to the PIO to provide him the information within 10 days. The PIO has failed to provide him the requisite information despite directions from the FAA. The appellant has requested the Commission to intervene in the matter and take strong action against the PIO under the provisions of the J&K RTI Act, 2009.

As per records of the 2nd appeal, the appellant vide RTI application dated 15.05.2017 has sought information on four queries pertaining to seniority list of professors of the University of Kashmir. Thereafter, on 20.06.2017, the appellant filed the First appeal before the FAA, University of Kashmir against the non-action of the PIO. The FAA vide order dated 11.07.2017 has disposed of the First appeal with the followings directions:

“After hearing and going through the available records, the PIO is directed to collect the requisite information from the concerned quarters and furnish to the appellant within 10 days positively.”

Later on, the PIO vide letter dated 19.07.2017 provided the information received from the Assistant Registrar/Administrator to the appellant. Not satisfied with the response of the PIO, the appellant filed the instant 2nd appeal before the Commission.

Proceedings before the Commission:

In response to the notice of the Commission, the PIO, University of Kashmir filed reply/counter statement to the 2nd appeal interalia submitting that the copy of the RTI application received from the appellant was forwarded to the Teaching Wing of the University of Kashmir and after several reminders, the information was received from the Administrator (Teaching Wing) on 17.07.2017 which was delivered to the appellant on 19.07.2017.

The 2nd appeal was heard by the Commission on 22.09.2017. Ms Asmat Kawoosa, Jt. Registrar/FAA University of Kashmir, Sh. Ab. Rashid Sofi/PIO University of Kashmir and the appellant Prof Gh. Mustafa Shah attended the hearing. The hearing was adjourned with the following interim directions:

“The hearing in the 2nd appeal is adjourned with directions to the PIO to go through the original RTI application of the appellant and collect the information from the concerned quarters of the University of Kashmir, compile and provide the same to the appellant as a para wise reply before the next date of hearing under an intimation to the Commission”

In compliance to the directions of the Commission, Mr. Abdul Rashid Sofi, PIO University of Kashmir vide letter dated

10.10.2017 addressed to the appellant with copy to the Commission has provided the requisite information to the appellant.

The 2nd appeal again came up for hearing today on 20.10.2017. Ms Asmat Kawoosa, Jt. Registrar/FAA University of Kashmir, Sh. Ab. Rashid Sofi/PIO University of Kashmir attended the hearing. However, the appellant was not present during the hearing despite notice. During the proceedings, the PIO submitted that in compliance to the directions of the Commission dated 22.09.2017, the point wise response to the queries of the RTI application has been provided to the appellant.

Decision:

The appellant despite being informed about the scheduled hearing today did not attend. Since the information in compliance to the directions of the Commission has been provided to the appellant by the PIO, therefore, no further cause survives. The 2nd appeal filed before the Commission is disposed of accordingly.

Sd/-

(Mohammad Ashraf Mir)
State Information Commissioner

Copy to the:-

1. First Appellate Authority (FAA)/Deputy Registrar,
2. Public Information Officer (PIO)/RTI Cell, University of Kashmir, Srinagar
3. Private Secretary to HSIC.

4. Mr. Gh. Mustafa Shah S/o M. Maqbool Shah R/o Samandar Bagh, S.P.College Road, Srinagar

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