



Jammu and Kashmir State Information Commission
(Constituted under the Right to Information Act, 2009)
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www.jksic.nic.in

File No. SIC/K/SA/55/2017
Decision No. SIC/K/SA/55/2017/**65**

FINAL ORDER

Appellant : Prof. Gh. Mohi-U-Din Dar Sangmi
R/o Naseemabad, Kanitar, Hazratbal,
Srinagar

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

Date of Registration : 24.07.2017

Date of Decision : 13.11.2017

Brief Facts:

The brief facts of this 2nd appeal are that the appellant Prof. Ghulam Mohi-ud-din Dar Sangmi filed 2nd appeal against FAA/PIO, University of Kashmir (UOK) on 24-07-2017. The appellant has alleged that the PIO, University of Kashmir (UOK) has failed to respond to his two RTI applications dated 16-05-2017 and 20-05-2017 despite lapse of more than one month. Thereafter, the FAA, University of Kashmir (UOK) while disposing of the First appeal had directed the PIO vide order dated 11-07-2017 to collect the requisite information from the concerned quarters and provide the same to the appellant within ten days. However, despite

directions from FAA, the PIO did not bother to provide him the information sought. The appellant has requested the Commission to take strong action against the PIO with directions to provide the information sought.

As per records of the 2nd appeal, the appellant has filed two RTI applications on 16-05-2017 and 20-05-2017 before the PIO University of Kashmir. In his application dated 16-05-2017, the appellant has sought following information from the PIO:-

1. Recommendations of the Selection Committee for the positions of:

a) Dean Academic Affairs;

b) Dean Research

2. Notings of the files regarding (i) (a) & (b), the meeting of the Selection Committee was held on 08-05-2017 in V.C. secretariat.

3. Notings of the files regarding replacement and appointment of Prof. Gul Mohd. Wani as Incharge Director, HRDC w.e.f. 16-05-2017.

4. Seniority list of Professors of the University of Kashmir as on 1st May, 2017.

In his 2nd RTI application dated 20-05-2017, the appellant has sought following information from the PIO:-

1. Selection list of B. Tech admissions in University of Kashmir for the year 2016-17.

2. Enquiry committee reports conducted by the University to look into the admissions of B., Tech. course, 2016-17.

3. Action taken report on the enquiry committee report.

4. *Recommendations of the selection committee for the appointment of Prof. Musadiq Amin Sahaf as Professor in the Department of Management Studies in 2006.*
5. *Recommendations of the UGC member regarding the appointment of the Professor.*
6. *Notings of the files regarding the appointment of the Professor.*
7. *Notings of the files regarding retrospective effect in favour of the Professor.*

On 19-06-2017, the appellant filed First Appeal before FAA, University of Kashmir against the inaction of PIO viz-a-viz his RTI application. The FAA has disposed of the First appeal vide order dated 11-07-2017 with the following observations:-

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

On 24-07-2017, the appellant filed the instant 2nd appeal before the Commission submitting therein that till date, no information has been provided to him by the PIO, University of Kashmir.

Proceedings before the Commission:

The 2nd appeal came up for hearing for the first time on 22-09-2017. Ms Asmat Kawoosa FAA/Dy. Registrar, UOK and Mr. Ab. Rashif Sofi, PIO, UOK and also the appellant attended the hearing on the said date. During the proceedings, the appellant had admitted to have received part of the information sought but submitted that the information with respect to query No. 1 of his RTI application dated 16-05-2017 has not been provided to him. However, the PIO had submitted on the said date that

information regarding query No. 1 of RTI application dated 16-05-2017 and point No. 2 and 3 of RTI application dated 20-05-2017 has been sent to the appellant through registered post. The PIO was then directed to provide the copy of information reportedly sent through registered post directly to the appellant after conclusion of the hearing and the appellant was directed to go through the same and file his rejoinder, if any, with a copy to PIO before the next date of hearing.

The appellant has filed a rejoinder dated 09-11-2017 before the PIO with copy to Commission submitting that the file noting of the file regarding the University order No. F(CAS-TRS)Adm/TW dated feb. 5th, 2011 issued by A. R. Administration Teaching Wing through which Prof. M. A. Sahaf was given retrospective effect as Professor w.e.f. 31-05-2000 instead of 31-12-2002.

The 2nd appeal came up for final hearing today on 13-11-2017. Mr. Abdul Rashid Sofi PIO, University of Kashmir attended the hearing. The appellant did not attend. The PIO stated that all the information sought by the appellant has been provided to the appellant. The PIO produced copy of the letter dated 10-11-2017 addressed to the appellant with copy to the Commission through which the information consisting of nine leaves pertaining to application/rejoinder of the appellant dated 09-11-2017 has been provided to the appellant under proper receipt.

Decision:

The PIO has submitted that all the information sought by the appellant has been provided. He has submitted the copy of letter dated 10-11-2017 as evidence in support of his contention that the pending

information i.e. copy of file notings as per the rejoinder dated 09-11-2017 stands furnished to the appellant duly received by him. In view of the submission made by the PIO duly supported by the written communications/receipt, there remains nothing to be adjudicated upon in this 2nd appeal. Accordingly, this 2nd appeal filed before the SIC by Prof. Ghulam Mohi-ud-din Sangmi against the PIO/FAA, University of Kashmir is disposed of.

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

Copy to:

1. First Appellate Authority (FAA)/Public Information Officer
(PIO)/University of Kashmir, Srinagar
2. Prof. Gh. Mohi-U-Din Dar Sangmi R/o Naseemabad, Kanitar,
Hazratbal, Srinagar

(M. S Bhat)
Dy. Registrar
J&K State Information Commission
Srinagar