

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/CO/SA/481/2017
Decision No. SIC/CO/SA/481/2017/995

Final Order:

Appellant : Sh. Arshid Rasool Khan.
(J&K Editors Association)
Respondent : FAA/PIO Deptt. of Information & Public Relation, J&K.
Date of decision : **18-10-2017**
Decision : Appeal disposed of.

Facts:

Briefly the facts of this 2nd appeal are that the appellant while exercising his right to information under the J&K RTI Act, 2009 filed RTI application dated 20-02-2017 with the Public Information Officer(PIO) O/o Joint Director Information in the Directorate of Information & Public Relations Department J&K seeking following information:

1. According to which eligibility criteria advertisements are issued whether by 1996 or 2016 policy.
2. During the unrest period in Kashmir Valley June 2016 how many newspapers were not published during the turmoil period, how many advertisements are issued to that newspapers, those newspapers which were not published during turmoil period, according to which policy advertisement are issued in favor of those newspaper.
3. What is the Budget policy of Local newspapers and national newspapers in 2014-2016 of advertisement.
4. What is the budget criteria in 2014-2015 same as 2015-2016.
5. How the Liability raises
6. Under which criteria, policy advertisements are issue only in two newspapers.

As per the records, the PIO did not reply the RTI application in time within thirty days as per section 7(1) constraining the appellant to file 1st appeal with the First Appellate Authority (FAA) O/O Directorate of Information & Public Relation, J&K Government on 29-03-2017. The appellant as a last resort approached the State Information Commission (SIC) in 2nd appeal against the inaction of the above said authorities. His 2nd appeal was admitted in the Commission on 10-07-2017.

Proceedings before the Commission:

1. The 2nd appeal came up for hearing before the State Information Commission (SIC) on 18-10-2017.
2. The hearing was attended by Sh. Zahoor Ahmad, Joint Director/FAA and appellant Sh. Arshid Rasool. PIO did not appear because of his transfer, as reported.

FAA stated that the information sought by the appellant stands provided to the appellant by the Deputy Director, Information (PR), Srinagar vide letter bearing No. RTI/PR/K-1001/2017 dated 25-04-2017.

3. The appellant also conceded to have received the same. The appellant however, insisted on provision of more details in this regard.
4. The Commission after perusal of his RTI application found that information provided to him was actually in accordance with the contents of the RTI application. The appellant was informed that the PIO is obliged to provide him the same information which he has sought through the RTI application and that he is not obliged to provide details unless specifically sought.

Decision:

After hearing the parties and perusal of the record, SIC finds that the information as per the RTI application stands provided to the appellant and therefore, the matter needs no further consideration. However, the PIO shall ensure that in future reply to the RTI applications is provided within time as stipulated under section 7(1) of the Act and that the FAA shall also ensure to dispose of the 1st appeal in terms of section 16(7) of the Act.

The 2nd appeal is accordingly disposed of accordingly.

The copy of order be provided free of cost to the parties.

-sd/-

(Khurshid A. Ganai) **IAS Retd.**,
Chief Information Commissioner,
J&K State Information Commission.
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Copy to the:

1. First Appellate Authority (FAA) O/o Directorate of Information and Public Relations J&K Government for information.
2. Public Information Officer (PIO), O/o Directorate of Information and Public Relations J&K Government for information.
3. PS to CIC for information of HCIC.
4. Sh. Arshid Rasool Khan, Secretary General J&K Editors Association, Srinagar.
5. Guard file.

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