



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/486/2017
Decision No. SIC/CO/SA/486/2017/**1011**

FINAL ORDER

Appellant : Sh. Abdul Salam Dar

Respondent : First Appellate Authority (FAA) General
Manager/FAA SIDCO Srinagar / Public
Information Officer (PIO), Dy. Manager
SIDCO Srinagar

Date of Registration : 18 .07.2017

Date of Decision : 16.11.2017

Brief Facts:

The brief facts of this 2nd appeal are that an RTI application dated 11.06.2016 was submitted by the appellant to the PIO of SIDCO seeking the following information:

- a) Copy of complaints received against General Manager (ROK) SIDCO Srinagar from 01.04.2016 to till date.
- b) Provide copy of order of departmental enquiry in respect of point No. (a) above.

- c) Provide copy of action taken against General Manager (ROK) in respect of point No (a) above.
- d) Provide copy of order where an external investigation agency has been involved to investigate the matter regarding complaints received against General Manager (ROK) SIDCO Srinagar.
- e) Provide copy of complaints received by managing Director SIDCO Office against General Manager (ROK) SIDCO and action taken by Managing Director SIDCO against the said General Manager (ROK).
- f) Provide copy of letter where action has been taken against the General Manager (ROK) SIDCO Srinagar as per J&K CSR.

Not satisfied with the disposal of the PIO and the FAA, the appellant filed the 2nd appeal in the State Information Commission (SIC) on 17.04.2017. After completion of deficiencies by the appellant, the 2nd appeal was finally admitted on 18.07.2017.

The 2nd appeal came up for hearing on 23.10.2017 in which the following directions were issued:

- 1. The PIO J&K SIDCO shall prepare a fresh para wise reply to the RTI application based on available record within a period of 30 days from the date of this order.*
- 2. The First Appellate Authority (FAA) was asked to apprise the PIO about the responsibilities and duties cast upon the PIO under the RTI act and the RTI Rules and also to familiarize himself with the duties and responsibilities of the FAA laid down under Section-16 of the Act.*

The 2nd appeal was filed in the SIC on 18.07.2017 but owing to the need for conduct of more hearings for appropriate and final disposal of the appeal, the time period for disposal was accordingly extended by another 60 days w.e.f 18.09.2017 from the date of filing the appeal in terms of Section 16(11) of the J&K RTI Act, 2009.

The 2nd appeal came up for hearing again on 16.11.2017. Mr. M S Khan, General Manager SIDCO Srinagar and Mr. Mohammad Maqbool, PIO/Dy. Manager SIDCO Srinagar attended the Srinagar Office of the SIC. The appellant did not attend the hearing. The PIO produced copy of para wise reply, which was perused and was found to be almost the same as was provided to the appellant earlier both by the PIO as well as under the signatures of MD SIDCO. The PIO and the FAA stated that the reply is based on the available record and that is why it is not materially different from the reply prepared earlier against which the appellant has filed the 2nd appeal.

Since the appellant is not present in the hearing today to give his feedback and response on the freshly prepared reply by the PIO, the Commission has no option but to dispose of the appeal with the directions that the copy of the freshly prepared reply along with the enclosures may be sent and got delivered to the appellant for his information.

The 2nd appeal is accordingly, disposed of with the above directions.

Sd/-
(Khurshid A. Ganai) IAS Retd
Chief Information Commissioner
J&K State Information Commission

(S. Sajad Ahmad)

No. SIC/CO/SA/486/2017/

Dated:

Copy to:

1. Registrar, J&K State Information Commission for information and necessary action.

2. FAA/General Manager, SIDCO, Srinagar for information and necessary action.
3. PIO/Deputy Manager, SIDCO, Srinagar for information and necessary action.
4. Private Secretary to CIC for information of the HCIC.
5. Appellant/Sh. Abdul Salam Dar S/o. Abdul Ahad Dar R/o. Gogoo Humhama.
6. Office File.

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