



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/K/SA/82/2017

Decision No. SIC/K/SA/82/2017/**86**

Appellant : Sh. Ab dul Majid Zargar

Respondent : First Appellate Authority (FAA)/Medical Superintendent, SKIMS Srinagar/ Public Information Officer/Jt Medical Supdt. SKIMS Srinagar

Date of Registration : 27.10.2017

Date of Decision : 28.12.2017

Brief Facts:

The brief facts of the case are that Sh. Ab. Majid Zargar filed the 2nd appeal against the PIO/FAA SKIMS Srinagar on 20.09.2017. The appellant has filed the 2nd appeal on the ground that the PIO has failed to respond his RTI application dated 11.03.2017 within the prescribed time. Against the inaction of the PIO, the appellant filed the First Appeal before the FAA on 21.04.2017. Meanwhile on 01.05.2017, PIO provided him part of the information. The appellant has submitted that the PIO & FAA of SKIMS have failed to perform their statutory duty cast upon them by the J&K RTI Act, 2009 and have made deliberate attempts not to provide the specific information besides FAA has failed to pass the order in the First Appeal. The appellant has requested the Commission to

direct the PIO to provide him the information sought vide RTI application dated 11.03.2017 read with application/letter dated 03.07.2017.

As per records of the file, the appellant vide RTI application dated 11.03.2017 has sought information on seven queries from the PIO pertaining to action taken/status of his letter dated 29.11.2016 addressed to Director SKIMS and other matters related to purchase of drugs and expenditures incurred by the hospital administration. On 21.04.2017, the appellant filed the First Appeal before the FAA against the PIO for not providing him the information within the stipulated time. The PIO has replied the RTI application of the appellant vide letter dated 26.04.2017. The FAA has disposed of the First Appeal vide order dated 27.05.2017 with the observation that most of the information has been provided to the appellant. Moreover, the suggestions for the improvement of patients proposed by information seeker are being examined separately and action will be taken whenever required. Not satisfied with the disposal of the FAA, appellant filed the 2nd appeal before the Commission. On scrutiny of the documents, the 2nd appeal was found to be bared by limitation. The Commission was pleased to condone delay and accordingly the 2nd appeal was admitted on 27.10.2017.

The 2nd appeal came up for hearing today on 28.12.2017. Dr. Farooq Ahamd Jan, Jt. Medical Superintendent/PIO SKIMS Srinagar and appellant Mr. Ab. Majid Zargar attended the hearing. During proceedings, the PIO submitted that after receipt of the RTI application of the appellant, the desired information was sought from the concerned quarters and stands provided to the appellant vide letter dated 20.04.2017, 26.04.2017 and 29.04.2017. The appellant admitted to have

received the information. He, however sought some clarifications from the PIO viz-a-viz the information provided to him. The PIO submitted before the Commission that some of suggestions made by the appellant in his application dated 29.11.2016 have been taken care of and others are under process for consideration of the authorities. The PIO submitted that for the treatment of cancer patients, State Cancer Insititute has been created, besides the PET Scan is ready and will be formally inaugurated soon.

Since the information sought by the appellant has been provided as per the records. The appellant admitted to have received the complete information. As such, nothing remains to be adjudicated upon in the instant 2nd appeal.

The 2nd appeal is accordingly disposed of.

Sd/-

(Mohammad Ashraf Mir)
State Information Commissioner

Copy to:

1. Medical Superintendent/FAA SKIMS Soura Srinagar
2. Jt. Medical Superintendent/PIO SKIMS Soura Srinagar
3. Appellant—Sh. Bashir Ahmad Bhat C/o Hotel Center Point Khayam, Srinagar
4. Office file

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