



Jammu and Kashmir State Information Commission
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Old Assembly Complex, Srinagar, 0194-2506660, 2506661

www.jksic.nic.in

File No. SIC/CO/Com/156 /2017
Decision No. SIC/CO/Com/156 /2017/**1040**

Final order

Appellant: Shri Atul Sudan,
S/O Shri Rajinder Kumar,
R/O Opposite SBI, Kabir Colony
Akhnoor, Distt. Jammu

Respondent: Public Information Officer, J&K SSB.

Date of Registration : 24.7.2017

Date of Decision : 27-12-2017

Brief Facts:

The appellant Shri Atul Sudan, first filed a complaint on 22.05.2017 against the PIO J&K, SSB on the ground that neither the Public Information Officer(PIO) nor the First Appellate Authority(FAA) has provided him any information in response to his RTI application dated 2.03.2017 . The appellant came up with this complaint initially before the State Information Commission 22/05/2017 with the prayer that the respondents may be directed to provide the RTI applicant requisitioned information.

On scrutiny of documents , in the first instance the complainant vide SIC communication dated 14/06/2017 was asked to clarify complaint/ 2nd appeal which the he had mentioned/written in his complaint dated 22.05.2017 , the complainant/appellant responded on 24.07.2017 and finally the complaint has been admitted on 17.08.2017 as complaint before

the State Information Commission (SIC). Accordingly notice was issued to the PIO, J&K SSB on 06.09.2017 for submitting written reply to the complaint and appear before the Commission on 13.09.2017.

Proceedings before the Commission

This complaint came up for hearing on 13.09.2017. Respondent/PIO, J&K SSB attended the hearing and the complainant (now appellant) was heard through video conferencing from SIC office, Jammu. The complainant/(now appellant) stated the he has filed the complaint for obtaining the requisite information that has not been provided to him by the PIO and the FAA of the J&K SSB. After hearing both parties, the hearing was adjourned with the following observations/directions:

“ The PIO, J&KSSB is directed to send the requisite information as shown by him before the Commission within 03 days from the date of receipt of this order through registered post. The complainant is directed to send his representation for treating his complaint as 2nd appeal within a week’s time from the date of receipt of this order.

The complainant (now appellant) in compliance to the Commission’s interim order dated 13.9.2017 submitted a written application before the Commission on the same day i.e, 13.9.2017 for treating his complaint as 2nd appeal .

The appeal (earlier complaint) came up for hearing again on 26.10.2017. PIO, J&K SSB was present and the complainant (earlier appellant) heard through Video conferencing from Jammu’s SIC office. After hearing both sides, respondent as well as the appellant, the hearing was adjourned with the following directions:

“ In view of the submission made by the appellant during the hearing, the PIO, J&K SSB is directed to reformulate the reply and provide the information to the appellant as per the contents of his basic RTI application within 15 days from the date of receipt of this order.

Finally this 2nd appeal(earlier complaint) came up for hearing again on 26.12.2017, Shri Sanjay Gupta, PIO, J&K SSB attended the hearing. The appellant did not attend. The PIO, J&K SSB submitted before the

Commission that in compliance to the interim order dated: 26.10.2017, all the relevant information has been provided to the appellant. He also submitted a counter reply dated 26.12.2017 before the Commission which was taken on record. In the counter reply, the PIO, J&K SSB has submitted that the appellant (RTI applicant with SSB) was provided part information by the PIO vide SSB reference dated 12.09.2017 and the remaining information later vide SSB reference dated 29.11.2017

Decision

The State Information Commission(SIC) heard the PIO, J&K SSB. The SIC observes that the requisite information has now been provided to the appellant by the PIO vide his communication No.SSB/Secy/ Appeal/45/2017/948 dated 29.11.2017. Since, the appellant neither appeared before the SIC nor sent any written representation to challenge the assertion of the respondent(s) that information has now been provided to him, SIC finds that there is nothing left for the Commission to decide further in this appeal.

With these observations, this 2nd appeal filed before the State Information Commission is disposed of.

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

Sd/-

(Khurshid A. Ganai) IAS Retd
Chief Information Commissioner

Copy to the :-

1. Public Information Officer (PIO) O/o J&K Service Selection Board, Jammu.
2. Pvt.Secy. to CIC for information of the HCIC.
3. Shri Atul Sudan, **S/O** Shri Rajinder Kumar, R/O Opposite SBI, Kabir Colony, Akhnoor, Distt. Jammu-181201
4. Office Order file.

(Sheikh Fayaz Ahmed)
Registrar
J&K State Information Commission