



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/J/A/82/2017

Decision No. SIC/J/A/82/2017/**107**

Final Order:

Appellant : Sh. Sunil Kumar, V. President, Bharav Kali Mandir,
R/O Lane No-04, Dream City, Muthi, Jammu.

Respondent : FAA/PIO, Police Department.

Date of Registration : 08.09.2017

Date of decision : **04-01-2018**

Decision : Appeal disposed of.

Proceedings before the State Information Commission(SIC):

Neither the appellant nor the PIO were present for hearing. However, the representative of the appellant Sh. Sandeep and Sh. Sanjeev Singh, Head Constable on behalf of the PIO were present for hearing. The representative of the appellant submitted that the PIO provided the information after filing of 1st appeal that too is wrong and incomplete. The representative of the PIO submitted that whatever information was available on record has already been provided to the appellant. Each and every query has been replied by the PIO.

On perusal of the reply of the PIO dated 01-06-2017, it transpires that the PIO has provided the reply though little late. But the appellant is not satisfied with the reply particularly with respect to query no-4. The representative of the appellant termed the reply to query no-4 as factually incorrect, as the DGP has vide his communication dated 14-07-2017 directed the IGP to enquire into the complaint filed by the Behrav Kali Mandir against Sh. Kishor Kumar and

submit a detailed enquiry report. The representative of the PIO submitted that enquiry has already been conducted and its report has also been submitted to the DGP. However, the copy of the report is not available for perusal of the Commission.

Decision:

The Commission observed that in reply to the RTI application, the PIO has denied that Sgct Kishore Kumar is involved in any criminal case or any departmental enquiry is pending against him. On the other side, the department has conducted an enquiry on the directions of the DGP and submitted the findings. Hence, the reply seems to be contradictory and incomplete. As such the present 2nd appeal is disposed of with the direction to the PIO to share the copy of enquiry report with the appellant within 15 days from the date of receipt of this order with a copy to this Commission for perusal and record.

-sd-

(Mohammad Ashraf Mir),
State Information Commissioner,
J&K State Information Commission.
/imi/

No. SIC/J/A/82/2017

Dated: / /2018.

Copy to the:

- 7 First Appellate Authority (FAA) Superintendent of Police, Head Quarters Jammu for information.
- 8 Public Information Officer (PIO), Deputy Superintendent of Police, Head Quarters Jammu for information and compliance.
- 9 PS to SIC for information of HSIC.
- 10 Sh. Sunil Kumar, V. President, Bharav Kali Mandir, R/O Lane No-04, Dream City, Muthi, Jammu.
- 11 Guard file.

(Reeta kaul)
Dy. Registrar,
J&K State Information Commission