



**Jammu and Kashmir State Information Commission**

شنیشن کمیٹی انفارمیری اسٹیٹسٹونڈ کشمیری جموں ا  
(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](http://www.jksic.nic.in)

File No. SIC/CO/COMP/160/2017  
Decision No. SIC/CO/COMP/160/2017/1092

**Final Order**  
**(Non-Compliance)**

**Complainant** : Mr. M. M. Shuja.  
**Respondent** : Public Information Officer, General  
Administration Department (GAD), J&K  
Civil Secretariat, Jammu.  
**Date of Registration** : 10-10-2017.  
**Date of Decision** : 06-04-2018.

**Brief Facts:-**

Briefly the facts of the case are that the complainant, Mr. M. M. Shuja, R/o. Samad Complex Bhagat Chowk, Srinagar, filed an RTI application dated: 07-08-2017 with the Public Information Officer (PIO), O/o. GAD, J&K, Civil Secretariat, Srinagar, seeking the following information:

- 01. Under Quota-Rota system how many posts became available in KAS cadre to be filled up by way of induction from in service eligible*

- officers working in various departments with effect from the date of earlier quota exhausts.*
- 02. Names with particulars with the officers inducted in KAS cadres with effect from 01-01-2016 till date.*
  - 03. Names and particulars of the officers who fall in the consideration zone for induction in KAS indicating the reasons for delay in such induction.*
  - 04. Names and particulars of the officers who are on deputation in Social Welfare/Tribal/SMC/Tourism/H&ME departments indicating the date of deputation and expiry. Also kindly indicate whether any officer is containing the expiry of deputation with reasons.*
  - 05. Names and details of KAS officers who have been attached without any posting with various administration departments and Divisional Commissioner office of Srinagar and Jammu.*
  - 06. Details of KAS officers holding additional charges.*
  - 07. Names of KAS / IAS officers posted as Director Information (J&K) with effect from 01-01-2016 till date indicating the date of joining and date of transfer as such Director.*

His said RTI Application was responded by the PIO on 13-09-2017 i.e. after a lapse of seven days beyond the prescribed time period. The complainant approached to the Commission in 2<sup>nd</sup> Appeal which was admitted in the Commission on 03-10-2017.

### **Proceedings before the Commission:**

The instant complaint came up for hearing before the Commission today on 06-04-2018. The hearing was attended by Sh. Sanjay Tickoo, Under Secretary-cum-Public Information Officer (PIO), General Administration Department. The complainant Sh. M.M Shuja was heard through Video Conferencing from Srinagar office of the Commission.

During the hearing, the complainant submitted that he has now received the requisite information though a bit late. On being questioned about the delay in providing the requisite information to the complainant, PIO submitted that the RTI application dated: 07-08-2017 was received in his office on 10-08-2017 and information was dispatched to him on 14-09-2017. He submitted that a delay of 07 days was due to the reason that he along with other officers of the GAD were deputed to New Delhi in connection with official work/court case, which caused the delay. The PIO has also provided the counter statement to the complaint in support of his arguments. The complainant also did not press for imposition of penalty in view of the nominal delay in the disposal of his RTI Application.

**Decision:**

**This complaint is disposed of with the remarks that facts of the case don't call for taking any action against the PIO under Section 17 of the J&K RTI Act, 2009 as nothing emerged which would show that the nominal delay of few days was intentional or unreasonable on his part. This has also been conceded by the complainant during the hearing.**

Copy of this order be given free of cost to the parties.

Sd/-

(Khurshid A. Ganai)

Chief Information Commissioner

Dated: .04.2018

No: SIC/CO/COMP/160/2017\_\_\_\_\_

Copy to:

1. Registrar, J&K SIC for information.
2. PIO, General Administration Department, Civil Secretariat, Jammu for information.

3. Private Secretary to HCIC for information of the HCIC.
4. Complainant/Sh. M. M Shuja, RTI Activist Sr. Journalist R/O Samad Complex Bhagat Chowk Srinagar, Room No. 313 for information.
5. Office file.

**(Baldev Raj)**  
Joint Registrar  
J&K State Information Commission

Zahoor A Bhat