



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/106/2017
Decision No. SIC/K/SA/106/2017/**107**

Final Order

Appellant : Sh. Ab. Rashid Khan S/o Mohammad Rajab
Khan R/o Sector Main Gulberg Colony,
Hyderpora, Bypass Srinagar.

Respondent : Public Information Officer
(PIO)/ Srinagar Municipal Corporation

Date of Registration : 12.12.2017

Date of Decision : 15.03.2018

This 2nd appeal came up for hearing today on 15.03.2018 at Srinagar office of the Commission. The time period for disposal of the appeal is accordingly extended by another sixty days beyond 09.02.2018 in terms of Section 16(11) of the J&K RTI Act, 2009.

Mr. Gh. Hassan Mir PIO/Jt. Commissioner, (Planning) Srinagar Municipal Corporation (SMC) and appellant Mr. Ab. Rashid Khan attended the hearing. The FAA was absent. The PIO presented a copy of the reply sent to the appellant vide No.SMC/JCP/RTI/136-38 dated 08.03.2018. On perusal of the reply, it was found to

be very brief to the extent that it seems to obfuscate information sought by the appellant/the then RTI applicant. The PIO was therefore directed to prepare a revised para wise reply addressing all the 9 queries of the RTI application submitted by the appellant/then then RTI applicant to the PIO of the SMC on 31.07.2017.

In the last order of the State Information Commission (SIC) dated 07.02.2018 in this 2nd appeal, the following directions were issued:

" It is directed that the FAA of SMC i.e. Commissioner, SMC will hear the appellant as well as the PIO and other officials of the Municipality and have a parawise reply compiled and provided to the appellant on the basis of information available in the records of Srinagar Municipality. In case information pertaining to any part of the RTI application does not pertain to the Srinagar Municipality, the concerned Public Authority may be identified and approached."

But it seems that this order has not been implemented in letter and spirit with the result that the reply prepared by the PIO is on the face of it pithy, cryptic and seems to hide more than reveal.

This 2nd appeal is accordingly disposed of with the directions to the PIO to reformulate the reply. The appellant is free to file a complaint in case of further violation of orders of the Commission by the Public Authority and the PIO. It is reiterated that Section-16 (8) clearly lays down that the orders of the Commission are binding on the Public Authority.

Sd/-
(Khurshid A. Ganai)
Chief Information Commissioner

Copy to the:

1. FAA/Commissioner, SMC Srinagar
2. PIO/Jt. Commissioner (Planning) SMC Srinagar

3. Appellant-Sh. Ab. Rashid Khan S/o Muhammad
Rajab Khan R/o Gulberg Colony, Hyderpora

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