



Jammu and Kashmir State Information Commission
Wazarat Road, near DC Office Jammu, 0191-2520947, 2520937
Old Assembly Complex, Srinagar, 0194-2506660, 2506661
www.jksic.nic.in

File No. SIC/CO/SA/443 /2017
Decision No. SIC/CO/SA/443/2017/1117

Final order **(Complaint)**

Complaint: : Shri Ab.Rashid Khan,
S/O Mohammad Rajab Khan,
Gulberg Colony Hyderpora Bypass.

Respondent : First Appellate Authority(FAA)/Public Information
Officer (PIO) O/o Health & Medical Education
Department Civil Secretariat, J&K.

Date of Decision : 15.05.2018

This Complaint for non compliance titled Sh.Abdul Rashid Khan Vs PIO, Health & Medical Education Department Civil Secretariat, J&K has been filed by Shri Ab. Rashid Khan apparently on the grounds that the Decision/Order of the State Information Commission dated 09.06.2017 under 2nd Appeal titled Sh.Abdul Rashid Khan Vs PIO, Health & Medical Education Department Civil Secretariat, J&K has not been implemented in full. The said complaint was first heard on 18.10.2017 and later on 29.11.2017, 25.01.2018 and 20.03.2018. During all these hearings the complainant(then appellant) was directed to send in writing request to the PIO specifying the balance information not provided sofar, so that the PIO is able to reply. In the last interim order dated 20.03.2018, the following directions were issued:

In view of the above it was directed during the hearing that a copy of the written request, to be furnished by the complainant, shall be provided to the PIO at the end of the hearing and the hearing of the complaint be adjourned till next date of hearing when the complainant will be heard again about the compliance of the Commission's Order issued on 20.03.2018.

Again the complaint came up for hearing today on 15.05.2018. Neither the complainant nor the respondents attending the hearing.

From perusal of the record on file, it is not clear whether the complainant(then appellant) has sent a written request to the PIO of the H&ME Department, Civil Secretariat for provision of the balance information as directed in the interim order dated 20.03.2018. There is no copy of such a request on file post the last hearing on 20.03.2018. The PIO,H&ME Department is therefore, directed that he shall provide the balance information as soon as the written request is received from the complainant/then appellant. In case the complainant is still not satisfied with the information to be furnished by the PIO,H&ME Department, he is free to file a fresh RTI with the said PIO.

The absence of the respondents was however viewed seriously by the Commission which may be brought to the notice of the Principal Secretary to Government, H&ME who shall issue a stern warning in this regard to the PIO of his Department under intimation to this Commission within 15 days from the date of receipt of this order.

With these directions, this complaint about non-compliance is disposed of. This order is being issued in continuation of order in 2nd Appeal dated 09.06.2017.

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

(Khurshid A. Ganai)
Chief Information Commissioner

Copy to the :-

- 1. Director General of Police, J&K/Head of the Public Authority for information and n/a**
- 2. First Appellate Authority (FAA) O/o DGP, PHQ, J&K for information and n/a**
- 3. Public Information Officer (PIO) O/o DGP, PHQ, J&K for information and n/a**
- 4. Pvt.Secy. to HCIC for information of the HCIC.**
- 5. Smt. Shashi Bala, President Bharav Kali Mandir, Dream City, Muthi Jammu 181205.**
- 6. Office Order file.**

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