

## Section 4 ( I ) ( b ) ( iii )

### Procedure followed in the Appeals and Complaints under RTI Act, 2009:

The Commission receives the Complaints under Section 15 of the RTI Act. The Complaint is placed before the State Chief Information Commissioner (SCIC)/State Information Commissioner(SIC) as per their allocation of departments. The SCIC/SIC who may seek report from the PIO/FAA, fix hearing or take any other suitable decision on the matter as he deems fit as per provisions of J&K RTI Act 2009 and Rules made thereunder.

The Commission also receives 2<sup>nd</sup> appeals against the orders of FAA under Section 16 of the RTI Act. This is placed before the SCIC/SIC as per allocation of department who disposes the appeal as per J&K RTI Act 2009 and RTI Rules 2010. The applicant, PIO or APIO and FFA(where required) are called for the hearing of 2<sup>nd</sup> appeal and their say is considered by the SCIC/SIC while adjudicating on the case.

S.No	Details of Activity in the Commission	Decision making Process	Authority Responsible for that activity
1.	Complaints under section 15	Stage 1: Comments of PIO/counter reply sought for which 7 days notice is given. Stage 2: Further Inquiry or Hearing as per the directions of CIC and IC. Stage 3: Final Order Stage 4: Uploading decision of the Commission on the web site	Stage 1: Registrar may seek comments/counter reply and place it before the SCIC/ IC for further orders. Stage 2 and 3: As per the directions of CIC/IC Stage 4: Pvt. Secretaries to CIC and IC's / Incharge Website.
2.	Appeals under Section 16	Stage 1: Preliminary hearing of the PIO/AA and the appellant	Stage 1: As per orders Of CIC and IC, Registrar may issue notice to PIO for preliminary hearing. Stage 2 and 3: As per the directions of CIC & IC's
3.	Updating of Section 4(1)(b) disclosure	Stage 1: Finalization & preparation of the content material about the organization, its functioning etc. Stage 2: Uploading on the website. Stage 3: Updating.	Deputy Secretary/Secretary and Incharge website.
4.	Annual Report	All Administrative departments are requested to send statutory	Secretary of the Concerned

		information for the financial year ending in March by April 15 <sup>th</sup> as prescribed in Section 22 of the RTI Act for submitting it as a part of the Commission annual report, which will be placed, before both houses of State Legislature.	Administrative Deptt. to be coordinated by the Monitoring & Reporting /Administration Wing in the Commission.
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**Section 4 ( I ) ( b ) ( iv )**

**Norms set for discharge of functions in SIC:**

The appeals/complaints are taken up for hearing on first come first serve basis. Wherever the Respondents/Appellants have number of cases, efforts will be made to club such cases so that they could be heard on a single day. Preference may also be given to Senior Citizens and physically challenged persons for an out of turn hearing. There remain certain exceptions in maintaining the chronology on account of infirmities/deficiencies found in the documentation of appeal/complaint papers or delay in receiving the response from concerned PIO/public authority which requires issuance of second notice.