



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. 0194-2484269, 2484262
www.jksic.nic.in

File No. SIC-K/comp/75/2013
Decision No. SIC-K/comp/75/2013/**104**

Title: Shri Abdul Gani Bhat v/s Principal ITI Anantnag
 s/o Gh. Ahmad Bhat (Respondent)
 r/o Brar Anantnag
 (Complainant)

Present:

1. Shri Mohammad Ashraf, Principal ITI Anantnag.
2. Shri Mohd. Tahir Bhat, Rep. of complainant.

Srinagar
09.12.2013

The Commission received a complaint on 04.11.2013 from Shri Abdul Gani Bhat s/o Gh. Ahmad Bhat r/o Brar Anantnag against Principal Industrial Training Institute (ITI) Anantnag alleging refusal of receipt of RTI application by the Principal. The complainant has further alleged that the Principal threw away his application and also used rough language. RTI

application dated 01.11.2013 addressed PIO/Principal ITI Anantnag is enclosed with the complaint.

Shri Mohammad Ashraf Principal ITI Anantnag submitted that he is not the designated Public Information Officer (PIO) and that is why he asked the information seeker to approach Deputy Director Technical Education Kashmir, who is the designated PIO. Principal however, produced part of the information compiled by him in response to notice of the Commission dated 11.11.2013. The representative of the complainant submitted that the Principal used foul/abusive language against him at the submission of RTI application.

During proceedings it was observed that the RTI application is accompanied by fee deposited in Treasury, which is not the prescribed mode of payment as per Section (3) of J&K RTI Rules 2012. Therefore the RTI application is not in accordance with Section 6(1) of the Act.

During proceedings it became apparent that most of the information is held by Principal ITI Anantnag. Since RTI application is addressed to Principal ITI Anantnag and most of the information is held by him, Principal ITI Anantnag is deemed as PIO under Section 5(4)(5) of the J&K RTI Act, 2009. The Principal is directed to dispose of the RTI application in accordance with provisions of Section 7 of the Act and within prescribed

period after evidence of payment of fee as prescribed in RTI Rules 2012
Section 3 is produced/submitted by the information seeker.

With regard to alleged foul/abusive language used by the Principal,
the complainant may approach the concerned law enforcing agency in that
regard.

Announced in open court with above directions.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the: -

1. Principal ITI Anantnag.
2. Shri Abdul Gani Bhat s/o Gh. Ahmad Bhat r/o Brar Anantnag.

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