



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/CO/comp/35/2013
Decision No: SIC/CO/comp/35/2013/**80**

Title: Sh. Fayaz Ahmad Khan v/s 1. FAA, JKPCC
 s/o Sh. Gh. Mohd. Khan 2. PIO, JKPCC
 r/o Zainakote, HMT, Sgr. (Respondents)
 (Complainant)

Present: 1. Sh. Shahid Latif Haroon, FAA JKPCC.
 2. Sh. Feroz Ahmad, PIO JKPCC
 3. Sh. Fayaz Ahmad Khan, Complainant.

Srinagar
09.10.2013

The Second Appeal filed in the Commission by Shri Fayaz Ahmad Khan on 03.07.2013 has been treated as complaint by the Registry while the case was being listed before HCIC.

Records enclosed with the complaint reveal that RTI application dated 21.02.2013 has been responded to/disposed of on 22.03.2013 by the PIO as has been admitted by the complainant. However, the complainant has informed the PIO on 03.04.2013 that perusal of information and papers annexed, the PIO has withheld most important information applied by him on 21.02.2013 and he has listed 06 explanations in support of alleged withholding of information. Thereafter, the complainant has filed First Appeal with FAA of JKPCC on 21.05.2013. This

appeal has remained pending for reasons stated by the present FAA Shri Rashid Latif Haroon that the then FAA Shri DD Gorkha, General Manager was promoted and nobody was posted in his place.

PIO submitted that subsequent to his earlier information dated 22.03.2013, he has responded to the communication of complainant dated 03.04.2013 by sending additional information through Registered Post. The complainant refused to have received this information.

Since the RTI application has initially been disposed within time, there is no proceedings against PIO for deemed refusal. However, as the complainant has given in writing that information has been withheld and appeal filed before FAA has not been disposed of for reasons stated above, the FAA JKPCC is directed to dispose of the appeal pending before him within three weeks from date of pronouncement of this order, keeping in view the plea of the FAA & PIO that daily wagers of JKPCC are on strike and gates are allegedly locked. FAA to provide an opportunity of being heard to the complainant one week in advance to date of hearing through any mode of service. The complaint is disposed of with above directions.

Announced in open court.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the:-

1. Shri Rashid Latif Haroon, Technical Officer/First Appellate Authority, JKPCC.
2. Shri Feroz Ahmad, Public Information Officer, JKPCC.
3. Shri Fayaz Ahmad Khan r/o Iqbal Colony Zainakote, HMT, Srinagar.

(G.Q. Bhat)
R e g i s t r a r
J&K State Information Commission