



Records brought on record reveal that the appeal was treated as complaint as First Appellate Authority did not decide the case and accordingly reply of PIO/FAA were sought. The case was placed before HCIC on 22.08.2013 who desired that case may be heard by SIC (K) on similar grounds of order passed by him in case No. 35/2013.

During the course of hearing in the Commission on 09.10.2013, PIO JKPCC submitted that RTI application of the complainant dated 20.04.2013 has been responded to by him. However, copy of the response was not enclosed with the counter statement/reply filed in the Commission on 25.07.2013. Accordingly an opportunity was given to the PIO to come along with response on next date of hearing on 14.10.2013. During the course of hearing today, PIO produced copy of letter dated 22.05.2013 addressed to the information seeker Shri Fayaz Ahmad Khan wherein in reference to his RTI application dated 20.04.2013 received by PIO on 22.04.2013, the information seeker has been asked to deposit an advance of Rs. 100/- on account of photocopy/paper charges so that information is provided to him. The information seeker submitted that he has not received copy of this communication and therefore he was constrained to approach FAA and the Commission.

The Commission after scrutinizing the evidences is of the view that RTI application has been disposed by the PIO by asking the information seeker to deposit copying charges. The RTI application has been received by him on 22.04.2013 and responded to on 22.05.2013 and time period calculated comes to 30 days and therefore disposal of the PIO is upheld. Copy of letter dated

22/05.2013 whereunder he has been asked to deposit an advance amount of Rs. 100/- on account of Photostat charges provided to the complainant during hearing.

The complaint is disposed with directions that PIO shall dispose of RTI application within one week from the date of receipt of payment from the information seeker.

The complainant shall however, be at liberty to file first appeal afresh if he is aggrieved by the information provided by the PIO.

Announced in open court before both the parties present.

Sd/-  
(Nazir Ahmed)  
State Information Commissioner

Copy to the: -

1. Shri Mohammad Abbass Lone, DGM Unit I, JKPCC (PIO).
2. Shri Fayaz Ahmad Khan s/o Sh. Gh. Mohd. Khan r/o Zainakote, HMT, Srinagar.

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