



Jammu and Kashmir State information Commission
(Constituted under The Right to Information Act, 2009)
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Old Assembly Complex, Srinagar. 0194-2484269, 2484262
www.jksic.nic.in

File No: SIC/K/Comp/71/2013
Decision No: SIC/K/Comp/71/2013/97

Title: Waseem Hassan Raja v/s 1. Director,
R/o Saidakadal, Srinagar Directorate of Life Long Learning
(Complainant) Kashmir University
2. PIO/Kashmir University
(Respondents)

Present: 1. Dr. Gh. Hassan Mir, Director DLLL Kashmir University.
2. Sh. Ab. Rashid Sofi, PIO/Kashmir University.
3. Sh. Waseem Hassan Raja, complainant

Srinagar
25.11.2013

The Commission received a complaint from Shri Waseem Hassan Raja r/o Saida Kadal on 24.10.2013 alleging that factual information not provided by Director Directorate of Life Long Learning (DLLL) University of Kashmir. Complainant has further stated that PIO provided information which was not satisfactory and has alleged that wrong information was provided regarding Mr. Zahool Akram showing him present on 27.11.2012, whereas he was on leave on that said day which has been approved by the Director of the Department. The complainant has further stated that he filed First Appeal before FAA University of Kashmir on 27.08.2013 which was

adjudicated by the FAA with the directions on 09.10.2013 to furnish relevant information as per application to the applicant within 5 days from issuance of the order with copy to the PIO but that is still missing and pending.

Records enclosed with the complaint reveal an RTI application received on 04.07.2013 has been responded to by the PIO University of Kashmir on 03.08.2013 enclosing the information provided by Director DLLL as under: -

- 1. "Permanent**
 - a. Dr. G.H. Mir, Director**
 - b. Mrs. Arjumand Fatima, S.O.**
 - c. Mr. M. Shahbaz, J.A.**
 - d. Mr. M.Afzal, J.A.**

- 2. Contractual**
 - a. Mr. Zahoor Akram, P.O.**
 - b. Mr. Altaf Hussain, P.O.**
 - c. Ms. Shinera Sajad, P.O.**
 - d. Mr. Waseem Hassan, P.O.**

From above it is obvious that PIO has responded to application within stipulated period under the Act.

Not satisfied with the order of the PIO the complainant filed First Appeal before FAA University of Kashmir on 27.08.2013 which has been adjudicated by the FAA vide order dated 09.10.2013 directing Director DLLL to furnish the factual and relevant information as per applications of the appellant within 05 days from the date of issuance of the order to the office of the PIO University of Kashmir.

Order of the FAA has been complied with on 07.11.2013 by the PIO University of Kashmir by way of clarification as under:-

“It is submitted that the Director sanctioned leave in favour Mr. Zahoor Akram P.O. (C) on 27.11.2012 submitted by another P.O. Ms Shinera on his behalf. However, Mr. Zahoor Akram presented himself and marked the attendance as according to him his health had improved by the office time. It may be mentioned when the office searched for the leave to be submitted to the Director for its cancellation, it was found missing. The applicant has already represented the matter before the Vice Chancellor vide application dated 27.08.2013 and submitted photocopy of the same leave along with that application also. Now it has been established that the original leave application has been stolen by the applicant with ill intentions.”

Information seeker/complainant admitted to have received the information.

During hearing the complainant submitted that where as in response of the PIO Director DLL has stated that none of the employee was on leave on 27.11.2012, but as per copy of leave application this has been marked ‘yes’ by the Director. He therefore contested attendance of the third party namely Mr. Zahoor Akram. The complainant also produced photocopy of attendance record obtained through RTI whereunder Zahoor Ahmad Akram has initialed/marked his attendance on 27.11.2012.

This evidence established that the information given by Director DLL in his letter dated 30.07.2013 stating that none of the employees was on leave on 27.11.2012 (which includes Mr. Zahoor Akram) appears factual as per records . It is now for the information seeker to pursue the matter with the competent authority on the basis of information provided to establish wrong doing, if any. However, order passed by FAA directing Director DLLL to furnish factual position has not been complied to within the period

stipulated by the PIO as well as Director DLL University of Kashmir. In view of above, PIO/Director DLLL University of Kashmir are directed to explain to the Commission delay in complying with directions of the FAA University of Kashmir within two weeks.

The complaint is accordingly disposed of.

Sd/-

(Nazir Ahmed)
State Information Commissioner

Copy to the:-

1. Director, Directorate of Lifelong Learning, University of Kashmir, Hazratbal, Srinagar.
2. Public Information Officer, RTI Cell, University of Kashmir, Hazratbal, Srinagar
3. Sh. Waseem Hassan Raja R/o Saida Kadal, Srinagar.

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