



Jammu and Kashmir State Information Commission

(Constituted under Right to Information Act 2009)

Old Assembly Complex, Srinagar, Fax No. 0194-2484269, 2484262
Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937

www.jksic.nic.in

File No: SIC/J/A/287/2013
Decision SIC/J/A/287/2013/12

Sh. Vijay Kumar	Appellant	Present
Sh. Atul Mahajan Asstt. Registrar (Legal), SKUAST, Jammu	PIO	Present

**Jammu
20-01-2014**

Briefly the facts in this appeal are that Sh. Vijay Kumar S/o Sh. Bachan Lal R/o 9-Shastri Nagar, Jammu moved an application dated 16-09-2013 before the PIO, SKUAST-Jammu under J&K Right to Information Act, 2009 whereunder he sought inter-alia certain information about leave sanctioned in favour of Mr. Sanjay Sharma, Dy. Registrar Secrecy, SKUAST-J in the year 2001.

The PIO vide office letter No:AUJ/VC/RTIC/13-14/RTI-56/317 dated 25-10-2013 informed the information seeker that the personal file of Mr. Sanjay Sharma is not traceable and this fact was already communicated to J&K State Information Commission in an earlier case. However, the information on the subject has been obtained from the concerned person wherein he has informed that he was enrolled for MBA course with IGNOU in January, 1999. He was appointed as PRO vide university order No:182 (Est) of 2001 dated 13-11-2001. The exams for PGDCA course through Guru Ghasidas University Bilaspur were conducted in September, 2001 and he was enrolled for these courses well before being appointed as PRO in the University.

PIO further submitted that the concerned has informed that these courses were conducted under Distance Education mode and never affected the office working and the leave was availed only at the time of appearing in the examination. The information seeker feeling aggrieved of the aforesaid order, preferred appeal dated 28-10-2013 before the FAA. The FAA vide office No:AUJ/Est./F-03 (RTI)/13-14/4857 dated 6-11-2013 upheld the decision of the PIO with the observation that the information sought has already been furnished and enclosed a copy of the same for information of the appellant.

The appellant feeling aggrieved of the aforesaid order of the PIO as well as FAA, preferred second appeal dated 12-11-2013 before the Commission. The matter was listed for hearing at Jammu office of the Commission on 20-01-2014. During the course of proceedings held today, the PIO submitted that the personal file of Sh. Sanjay Sharma is not traceable and as such information sought by the information seeker cannot be provided to him.

In view the aforesaid facts and observations, the Commission is of the considered view that the information sought by the information seeker cannot be furnished as the personal file of Sh. Sanjay Sharma Dy. Registrar Secrecy, SKUAST, Jammu is not traceable and an inquiry to this effect has already been instituted by the University on the direction of the Commission. The Commission hereby directs the Registrar to file status report about the outcome of the inquiry conducted by the university within a week's time from the date of receipt of this order.

The appeal is accordingly disposed of.

Notice of this decision be given free of cost to the parties.

Sd/-
Dr. S.K. Sharma
State Information Commissioner

Copy to the:-

1. Public Information Officer / Sh. Atul Mahajan, Asstt. Registrar (Legal), SKUAST, Jammu.
2. Sh. Vijay Kumar S/o Sh. Bachan Lal R/o 9-Shastri Nagar, Jammu.

(Khalid. A. Shah)
Dy. Registrar
State Information Commission