



J&K 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. 0191-2520970, 2520937

www.jksic.nic.in

File No: SIC/J/A/166/2013

Decision No: SIC/J/A/166/2013/268

Smt. Anita Devi	Appellant	Present
Dr. B.B. Gupta Registrar, SKUAST Jammu.	FAA	Present
Dr. Dileep Kachroo, Prof. & Head, Div. of Agronomy & Chief Scientist, FSR, SKUAST-J, Chatha.	PIO	present

Jammu

13-09-2013

Briefly the facts in this appeal are that Smt. Anita Devi D/o Lt. Sh. Piara Lal C/o Sh. Harbans All Choudhary R/o H.No. 25/4 Nanak Nagar, Jammu moved an application dated 23-04-2013 under J&K RTI Act, 2009 before the PIO, SKUAST, Jammu seeking the following information:-

- 1. Mr. Sanjay Sharma was regularized as on 13-11-2001 and was placed in the grade of 8000-13500 for the post of PRO. Please furnish me the experience copy of the said official as per recruitment rules prescribed as five years.*

The PIO failed to provide the information to the information seeker within the statutory period. Thus feeling aggrieved, she approached the FAA / Registrar, SKUAST, Jammu vide her application dated 31-05-2013. The

FAA / Registrar, SKUAST, Jammu vide office letter no. AUJ/13-14/Secy/753-754 dated 24-06-2013 informed the information seeker that as reported by the dealing Assistants, the said information is not traceable in the office records. However, Sh. Sanjay Sharma has been requested to provide the copy of the said experience. As & when the experience certificate is received same shall be provided. With these observations the FAA disposed of the appeal filed by the information seeker. Thus, feeling aggrieved of the aforesaid order of the FAA, she approached the Commission by filing 2nd appeal dated 04-07-2013. After receiving her 2nd appeal, the Commission vide notice no. SIC/J/A/166/2013/2912 dated 11-07-2013 directed the PIO, SKUAST, Jammu to file counter reply to the Commission within 7 days from the receipt of the notice and in compliance to the direction of the Commission, the PIO filed counter statement vide office letter no. AUJ/VC/GRTIC/13-14/RTI-11/179 dated 25-07-2013 in which he has submitted that information relating to experience certificate of Sh. Sanjay Sharma is not traceable in the office record, whereas, he has been requested to provide the copy of said experience certificate. The PIO also submitted the photocopies of letters send to the information seeker wherein she was informed about the details of information sought by her. The information relating to experience certificate of Sh. Sanjay Sharma is not forthcoming from the office records, the PIO apprised the Commission that the said file is not traceable. On the last date of hearing he was directed by the Commission to file an affidavit to that effect and in compliance to the direction of the Commission he has submitted an affidavit dated 23-08-2013 duly attested by the public notary, Jammu in which he has stated that the document in question is missing and hence cannot be supplied. The Registrar of the University who is the FAA, also appeared before the Commission and during the course of proceedings held today on 13-09-2013, he also corroborated that the concerned file is missing and document

is not traceable and hence cannot be supplied to the information seeker. In view of the given circumstances the FAA/PIO cannot be directed to furnish the requisite information to the information seeker as the document in question is not traceable and file of the concerned official against whom the information sought is not traceable. The Registrar, SKUAST, Jammu is hereby directed to hold a departmental enquiry in the matter in order to fix up the responsibility of the concerned official who has been responsible for the misplacement of the file / document which has been sought by the information seeker as a part of the information. The Registrar is directed to complete the departmental enquiry within three weeks from the date of receipt of this order and also lodge an FIR against the delinquent official who is responsible for the misplacement of the file of Sh. Sanjay Sharma, Dy. Registrar (Secy) former PRO, SKUAST, Jammu.

The Registrar is also directed to file compliance report to the Commission after the completion of departmental enquiry.

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. 1st Appellate Authority / Dr. B.B. Gupta, Registrar, SKUAST Jammu.
2. Public Information Officer / Dr. Dileep Kachroo, Prof. & Head, Div. of Agronomy & Chief Scientist, FSR, SKUAST-J, Chatha.
3. Smt. Anita Devi D/o Lt. Sh. Piara Lal C/o Sh. Harbans Lal Choudhary R/o H.No. 25/4 Nanak Nagar, Jammu.

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