



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/92/2014

Decision No: SIC-CO/Comp/92/2014 **590**

Title: Sh Muntazir Hamid, Advocate R/o Mominabad Batmaloo, Srinagar

V/s

PIO/ J&K Public Service Commission

Srinagar
25.02.2014.

This is a complaint filed by one Muntazir Hamid, Advocate a resident of the State against alleged in-action of the PIO/J&K Public Service Commission to pass an order under Section (7) on disposing of application under Section (6) of the complainant dated 19.10.2013. The complainant has submitted before this Commission that he did not receive any information from PIO. The Commission has heard Sh. Muntazir Hamid, an advocate in person during hearing at Srinagar on 25.02.2014.

The Commission has gone through facts of the case and found that the original application under Section (6) is not in accordance with Section 6 of the Act. As per Section (6) the application has to be accompanied with such fee as may be prescribed to. Such fees has been prescribed in Rule 4 of State RTI Rules 2012 which provided that:-

“For providing the information under sub-section (1) of section 7, the fee shall be charged by way of cash against proper receipt or by demand draft or bankers cheque or Indian Postal Order payable to the Accounts Officer of the public authority at the following rates:-

- a. Rupees two for each page (in A-4 or A-3 size paper) created or copied.
- b. Actual charge or cost price of a copy in larger size paper.
- c. Actual cost or price for samples or models; and
- d. For inspection of records, no fee for the first hour; and a fee of rupees five for each fifteen minutes (or fraction thereof) thereafter.”

The complainant has attached proof of paying application fee. This proof does not indicate whether fee was paid in the name of Accounts Officer of the Public Authority. Public Authority in this case is J&K Public Service Commission. The columns in the postal order have been left blank and therefore application being ab-nito bad in law is hereby rejected. The complainant being an Advocate by profession is advised that before invoking any legal provision and procedural law for any relief, he should go through the provisions of law read with rules if any.

The complainant has an option to again if, he so desires, file a fresh application under Section 6 before the PIO.

The complaint is accordingly disposed.

Sd/-
(G.R. Sufi)
Chief Information Commissioner

Copy to the:-

1. Public Information Officer, J&K Pubic Service Commission, Jammu.
2. Sh. Muntazir Hamid (Advocate) R/o Moominabad, Batmaloo, Srinagar.
3. Guard file

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