



J&K State Chief Information Commissioner
Old Assembly Complex, Srinagar. Fax ;0194-2484268,2484269
Wazarat Road, Jammu. Fax No: 0191-2520947, 2520927

File No. SIC/CO/SA/123 /2014/
Decision No. SIC/CO/SA/123 /2014/608

Title: Shri Shomik Raina

V/S

- 1. First Appellate Authority, JKBOPEE, J&K, Jammu.***
- 2. Public Information Officer, JKBOPEE, J&K, Jammu.***

Jammu
13-03-2014

This is a 2nd Appeal filed by Shri Shomik Raina R/o H.No. 98/3, Dream City, Muthi, Jammu on 13-02-2014 against the inaction of the PIO, JKBOPEE to provide him the information in respect of his RTI application dated: 07-08-2013. The FAA and the PIO, JKBOPEE attended the Commission. The PIO has objected to the admission of the appeal on the pleas that the appellant has not deposited the requisite fees for obtaining information as per section 6 of the Act read with rule 3 of J&K RTI Rules, 2012. The Commission has gone through the facts of the case and found that the appellant has attached a non judicial paper of Rs. 10/- as fees. However, this facility of depositing fees has been withdrawn since August 30th 2012. The PIO's contention is therefore upheld. It is seen that the FAA has passed an order on the first appeal of the appellant.

The First Appellate Authority was expected to go through section 6 of the Act read with Rule 3 of J&K RTI Rules, 2012 and get the fees of Rs. 10/- deposited in accordance with law.

The PIO is therefore directed that in future he should advise the appellant (s) about the mode of payment of requisite fees. The appellant is directed to deposit fees of Rs. 10/- as per Rule 3 of J&K RTI Rules, 2012 and after ensuring that fee is paid, PIO is also directed to pass an order within 08 days, as enough time has already expired since the "application filed by the appellant."

Sd/-

(G. R. Sufi)

Chief Information Commissioner

Copy to the:-

1. First Appellate Authority, JKBOPEE, J&K, Jammu.
2. Public Information Officer, JKBOPEE, J&K, Jammu.
3. Shri Shomik Raina R/o H.No. 98/3, Dream City, Muthi, Jammu (Appellant).
4. Pvt. Secretary to HCIC.
5. Guard File.

(G.Q.Bhat)

Registrar,

J&K State Information Commission.