



J&K State Information Commission  
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[www.jksic.nic.in](http://www.jksic.nic.in)

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File No: SIC/CO/SA/207/2014  
Decision No: SIC/CO/SA/207/2014/699

Title:- Vivek Tandon V/s Registrar Judicial-cum PIO, J&K High Court, Srinagar

Jammu

11.12.2014

This is a second appeal filed by Shri Vivek Tandon, a resident of the State arguing therein that under Section 16 of State RTI Act, 2009, he filed first appeal before Registrar General-cum-FAA of Hon'ble High Court which has been received in his office on the same day. Appellant has submitted before this Commission that no steps were taken by the FAA to adjudicate his appeal and issue a direction to the PIO for providing information. Accordingly, the Commission has been prayed and urged to take cognizance of the failure of not only of the FAA but PIO who passed order. The Commission has heard Shri Durga Dass Sharma, Joint Registrar of Hon'ble High Court but did not produce any order of FAA. Presumption is that no order has been passed by FAA. The Commission has been repeatedly emphasizing that the FAA under the State RTI Act is a public authority vested with quasi judicial authority for adjudicating the appeals. The cause of appeal to the appellant emerges from his application to the PIO. The RTI application is prima facie received in PIO's office on

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10.12.2013 whereas order has been passed by PIO on 24.7.2013 which is late by seven months. Shri Aijaz Ahmad Mir, Registrar Judicial cum-PIO is directed to explain why penalty proceedings under Section 17 of the State RTI Act may not be initiated against him. His reply, if any, must reach this Commission within 15 days from the date of receipt of this order. The present PIO in the Hon'ble J&K High Court is requested to serve a copy of this order on him.

Second appeal is accordingly disposed of.

Sd/-

( G.R. Sufi )

Chief Information Commissioner

Copy to:-

1. Registrar General –cum-First Appellate Authority, J&K High Court, Jammu
2. Shri Durga Dass, Joint Registrar, J&K High Court, Jammu
3. Shri Aijaz Ahmad Mir, Registrar Judicial-cum-PIO, J&K High Court, Srinagar
4. Shri Vivek Tandon, S/o Shri B.R. Tandon, R/o H. No: 55, Gali Kumharan, Below Purani Mandi, Jammu.
5. Private Secretary to Chief Information Commissioner
6. Guard file.

( G.Q. Bhat )

Registrar

State Information Commission