



J&K State Information Commission
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www.jksic.nic.in

File No: SIC/CO/SA/197/2014
Decision No: SIC/CO/SA/197/2014704

Title:- C.P. Sharma V/s PIO office of the Accountant General

Jammu
24.12.2014

This is a second appeal filed by Shri C.P Sharma, a resident of the state in this Commission on 09.10.2014. Hearing was fixed on 24.12.2014. Advocate Deepika Mahajan appeared on behalf of FAA, Accountant General's office. Appellant did not attend.

Brief facts and grounds of the appeal are that the information seeker filed an RTI application before the PIO, AG's office on 14.7.2014 seeking certain information as per his RTI application. CPIO in the office of Accountant General transferred the RTI application to PIO in the office of General Administration Department with a copy to the information seeker on 21.7.2014 requesting therein to furnish the information to the applicant under intimation to their office. Not satisfied with the order of CPIO, information seeker filed first appeal before the FAA in the office of Accountant General requesting him to provide information as sought by him. FAA dismissed the appeal on the grounds that "the action taken by the CPIO, office of Accountant

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General, Jammu and Kashmir, Jammu forwarding the application of the applicant to Public Information Officer, Office of the Commissioner-cum-Secretary General Administration Department, J&K Government Civil Secretariat Srinagar was correct as the information desired by the applicant could not be retrieved from records maintained in AG office as the office of the Accountant General does not maintain records of the retired state government employees department-wise or designation-wise or record any particular govt order in the pension abstract file(s). PIO of the General Administration Department of State Government was the right authority which could have collected and forwarded the desired information to the applicant". Vide Communication dated: 21.11.2014, PIO GAD Shri Manzoor Ahmad informed the Commission that "since the Gad has no role to maintain the record of pensioners of Engineering Departments or other Departments, the undersigned vide No: GAD/RTI/1337/2014 dated: 24.07.2014 forwarded the copy of letter received from CPIO office of the Accountant General along with the copy of application to the PIO Public Works (R&B) Department under Section 6(3) of the RTI Act for providing of requisite information to the information seeker". PIO GAD further states that "he personally enquired from the PIO PWD who informed him that he has transferred the application to the subordinate Heads under Section 6(3) of the RTI Act, 2009". It is not know what further action the subordinate Heads of PWD was taken in the matter.

Appellant aggrieved with tossing of his application to other departments and aggrieved with the orders of FAA filed second appeal before this Commission on 09.10.2014 praying therein that PIO in the office of Accountant General be directed to supply the information sought by him or pay/sanction the pensionary benefits on the analogy of other similarly placed retired officers. Hearing of the case was heard

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on 09.12.2014 and during the hearing Advocate appearing on behalf of the FAA had assured the Commission that she will look into the matter afresh and will try to do the needful at the earliest. And the Appellant informed the Commission vide his application dated: 19.12.2014 that office of the Accountant General has reviewed and resolved my case and has requested that his appeal be disposed of accordingly.

Commission is of the view that since the case of the appellant has been resolved by the AG's office and he is satisfied with it, second appeal is accordingly disposed of.

Sd/-

(G.R. Sufi)

Chief Information Commissioner

Copy to:-

1. First Appellate Authority, Office of the Accountant General, J&K Jammu
2. Public Information Officer, Office of the Accountant General, J&K Jammu
3. Shri C.P. Sharma, S/o Sh. B.L. Sharma, H. No: 525, Sector-4, Chani Himmat, Jammu.
4. Private Secretary to Chief Information Commissioner
5. Guard file

(G.Q. Bhat)

Registrar

State Information Commission