



**J&K State Chief Information Commissioner**  
Old Assembly Complex, Srinagar. Fax ;0194-2484268,2484269  
Wazarat Road, Jammu. Fax No: 0191-2520947, 2520927  
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File No. SIC/CO/SA/225/2014/  
**Decision No. SIC/CO/SA/225/2014/713**

**Title: Shri R.K.Bhan**

**V/S**

- 1. First Appellate Authority, J&K, Agro Industries Development Corporation Ltd, J&K, Jammu.**
- 2. Public Information Officer, J&K, Agro Industries Development Corporation Ltd, J&K, Jammu.**

**Jammu**  
**15-01-2015**

This is a 2<sup>nd</sup> appeal filed by Shri R.K.Bhan, a resident of the State against alleged inaction of the PIO/FAA, J&K Agro Industries Development Corporation Ltd, J&K, Jammu. Mr. M.M. Gani, Divisional Manager-cum-FAA, JK Agro Industries Development Corporation Ltd, Shri Sham Lal Sharma, Liaison Officer-cum-PIO, JK Agro Industries Development Corporation Ltd., and the appellant attended.

Brief facts of the case are that the appellant filed an RTI application before PIO, JK Agro Industries Development Corporation Ltd. On 30-09-2014, received in his office on 01-10-2014, seeking following information;

*"Following information along with verified basic qualifications and D.O.B records / certificates of following officers/officials of the corporation;*

<i>S.No</i>	<i>Name of Officer/Official</i>	<i>Copies of Promotion/Confirmation Order as</i>
<i>1</i>	<i>Rakesh Khajuria</i>	<i>Director, Finance along with approvals from BOD/Chairman</i>
<i>2</i>	<i>M.M.Gani</i>	<i>Manager and Divisional Manager</i>
<i>3</i>	<i>Altaf Hussain</i>	<i>Foreman</i>

4	<i>Fayaz Ahmad Baba</i>	<i>Supervisor</i>
5	<i>Ghulam Ahmad Tantry</i>	<i>Supervisor</i>
6	<i>Qazi Shafat</i>	<i>Supervisor</i>
7	<i>Gh. Mohammad Dar</i>	<i>Sr. Store Keeper</i>
8	<i>Tasleema Wani</i>	<i>Accounts Officer</i>
9	<i>Haji Altaf</i>	<i>AO</i>
10	<i>Jahan Ara</i>	<i>Pvt. Secretary</i>
11	<i>Sham Lal Sharma</i>	<i>Liaison Officer</i>
12	<i>Sunita Sharma</i>	<i>P.A.</i>
13	<i>Jugal Kishore</i>	<i>Accounts Assistant</i>
14	<i>V.P.Pada</i>	<i>Accounts Assistant</i>
15	<i>Aijaz Zargar</i>	<i>Accounts Assistant</i>
16	<i>Abdul Majid Sheikh</i>	<i>Accounts Assistant</i>
17	<i>Rakesh Gupta</i>	<i>Section Officer</i>
18	<i>Pushkar Nath</i>	<i>Storekeeper</i>
19	<i>Ravi Ji bBhat</i>	<i>Mechanic</i>
20	<i>Reeta Wancho</i>	<i>Computer Assistant</i>
21	<i>Suman Thusoo</i>	<i>Head Assistant</i>
22	<i>Amrik Singh</i>	<i>Sr. Assistant</i>
23	<i>Showqat Ahmad</i>	<i>Driver</i>

The PIO has responded to the request of the information seeker vide his order dated: 24-10-2014, hence order passed is within time, as prescribed under the Act. PIO informed the information seeker that as the office building of the Agro Industries Ltd. was submerged in recent floods in Kashmir due to which all the records got damaged, hence information could not be provided. Being aggrieved of the order of PIO, appellant preferred first appeal before First Appellant Authority, J&K Agro Industries Ltd., on 10-11-2014, alleging "deliberate avoiding tactics by the PIO for not providing information." The FAA provided an opportunity of being heard to the appellant on 10-12-2014 vide his letter dated: 24-11-2014, hence giving him a reasonable time of being heard. The appellant however did not attend office of FAA, instead demanded hearing at Regional Office or Head Office at Jammu. The FAA

however, could not adjudicate this appeal strictly in accordance with the provisions of Section 16. The appellant accordingly approached this Commission with the 2<sup>nd</sup> appeal on 22-12-2014. The Commission has considered the facts on record. The appellant in his first appeal has alleged that the PIO deliberately avoided to give information. This claim and assertion, however, has not been substantiated with any evidence. It has not been disproved that there was massive flood in Kashmir during the period and it is also a fact that the office building of Agro Industries Ltd., where from the information could have been given was submerged. However, FAA/PIO submitted before the Commission that efforts have been made to collect and reconstruct the record. Taking all the facts in consideration, PIO is directed to give information to the information seeker, whatever collected or re-constructed within 10 days of the receipt of this order.

The 2<sup>nd</sup> appeal is accordingly disposed of.

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

Copy to the:-

1. First Appellate Authority, J&K, Agro Industries Development Corporation Ltd, J&K, Jammu.
2. Public Information Officer, J&K, Agro Industries Development Corporation Ltd, J&K, Jammu.
3. Shri R.K.Bhan C/o Opendar Medicate, Vikas Nagar, Sarwal, Jammu (Appellant)
4. Pvt. Secretary to HCIC.
5. Guard file.

(G.Q.Bhat)  
**Registrar,**  
J&K State Information Commission