



Jammu and Kashmir State Information Commission

(Constituted under Right to Information Act 2009)

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www.jksic.nic.in

File No: SIC/CO/Comp/13/2013

Decision No: SIC/CO/Comp/13/2013/439

Title:- Vikrant Sharma, R/o J-236 Mast Garh Jammu
V/s
PIO Excise and Sales Tax Deptt. Jammu

Jammu
26.04.201

In accordance with Section 15 (2) of the State RTI Act 2009, the enquiry was started against the PIO Smt. Anuradha Rani, KAS. This enquiry was started after finding that prima-facie there was a case for enquiry. The complainant during his last hearing before this Commission had alleged that no information was given to him and orders, if any, passed by the PIO were “deliberately sent to the address of M/s S.K Armoury, Barnai Road” who was actually the party against whom the information was sought. Thus jeopardizing his life and nullifying the effect of information. It is also insisted that in his RTI application dated: 14th September 2012 he had given detailed address of J-236, Mast Garh Jammu. The PIO Smt. Anuradha Rani attended and submitted that there is no proof to prove that mistake was committed deliberately or with an intention of misleading the information seeker. The information seeker has also relied on the registered postal receipt under No: 4326 wherein address is shown as under:-

“ Mr. Vikrant Sharma, Nai Basti Jammu”.

Receipt and dispatch register were also produced before this Commission in compliance with the summon issued under Section 15 read with CPC Samvat 1977. In the Receipt Register address of the appellant has been correctly mentioned but dispatch register shows the dispatch address of appellant wrongly. The Commission has also gone through the record further and found that the PIO vide her letter dated: 14.3.2013 has regretted the mistake. However, this letter was sent to State Information Commission and not to the complainant. After going through the records it is found that this is purely a

mistake committed by lower staff. There is nothing further on record which will show that the PIO had deliberately directed the staff to send the copy of order on a wrong address particularly on the address of the effected party. The complainant has agreed with this contention and he agrees that the mistake has not been committed with deliberate intentions. After considering these facts the Commission could not find anything against the PIO Smt. Anuradha Rani. However, the Commission would like her to start investigation under what circumstances the lower staff committed such mistakes which resulted in receipt of information by the complainant very late and results of enquiry be communicated to this Commission. The proceedings are accordingly dropped.

(G. R. Sufi)
J&K State Chief Information Commissioner

Copy to:-

1. Smt. Anuradha Rani (PIO) Excise & Sales Tax Department Jammu
2. Shri Vikrant Sharma R/o J-236 Mast Garh, Jammu
3. Guard File

(Mohammad Syed Shah)
Registrar
J&K State Information Commission