



## **Jammu and Kashmir State Information Commission**

(Constituted under Right to Information Act 2009)

Old Assembly Complex, Srinagar, Fax No. 0194-2484269 , 2484262

Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937

[www.jksic.nic.in](http://www.jksic.nic.in)

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File No: SIC-K/SA/47/2012

Decision No: SIC-K/SA/47/2012/460

Title:- Altaf Hussain Najar S/o Ab. Hamid Najar  
R/o Laigriduri Idd Gah, Srinagar  
V/s  
PIO Govt. Medical College and  
Associated Hospitals, Srinagar.

Srinagar  
06.06.2013

This is a complaint filed by Shri Altaf Hussain Najar, a resident of the State, before this Commission on 25.3.2013 against the PIO Govt. Medical College and Associated Hospitals, Srinagar. The hearing of this case was partly done earlier and in continuation of this hearing Shri Kanwaljeet Singh PIO attended. The complainant Shri Altaf Hussain Najar also attended.

2. The brief facts of the complaint are that the complainant had filed an RTI application before PIO Govt. Medical College & Associated Hospitals Srinagar on 14.8.2012 seeking certain information as listed in the RTI application. The PIO had to take assistance of other authorities working under the same public authority to collect the information and provide the same to the information seeker i.e the complainant. After seeking this information, the PIO passed order on 9.4.2013. The complainant not being satisfied with the order had preferred a first appeal which was unfortunately not disposed of and later on approached the Commission under second appeal and Commission passed the order on 03.12.2012 directing the First Appellate Authority to adjudicate the appeal of appellant after duly hearing the appellant. In compliance with this order the First Appellate Authority passed an order under No: 854-58 dated: 17.12.2012 directing the PIO to provide information to the complainant on points a,b

and c of the applicant dated: 14.8.2012. It seems that there has been an inadvertent mistake in mentioning the name of some other person but in the body of the order the First Appellate Authority has clearly mentioned the name of appellant i.e Shri Altaf Hussain Najar. Hence no serious adverse view is taken on this issue as agitated by the complainant.

3. Before concluding this order, the Commission would like to refer to the strong observations made by the PIO with regard to the fact that some information is being asked by different people repeatedly with slight change in language and phraseology. Obviously, the Commission will not encourage multiple applications on the same issue or same nature of information. The PIO's attention is invited to provisions of Section 7 (9) of the State Information Act. These provisions of law have dealt with the situation. This provision of law is further elucidated by Hon'ble Supreme Court of India in the Civil Appeal No: 6454 of 2011 Central Board of Secondary education (CBSE) and another V/s Aditya Bandopadhyay and others. In future PIO is directed to act accordingly. He may invoke Section 7 (8) of the Act by passing a speaking order.

4. The PIO in compliance with the directions issued by the First Appellate Authority passed an order on 20.12.2012. The complainant has again filed a complaint before this Commission stating therein that PIO has provided information which is irrelevant, unspecific and confusing. The Commission has gone through the order of the PIO and the complainant's RTI application. It is seen that with regard to information sought at point C, the PIO had mentioned that this arrangement falls under the purview of Directorate of Health Services. Obviously, the information on point B and C of the RTI application so provided is not specific and in accordance with RTI applications. The PIO is, therefore directed to provide information in affirmative or negative on point numbers B and C on the strength of Government circulars/notifications/orders within 15 days from the receipt of this order. Complaint is accordingly disposed of.

Sd/-

( G.R. Sufi )

J&K State Chief Information Commissioner

Copy to:

1. Public Information Officer, Govt. Medical College and Associated Hospitals, Srinagar
2. Shri Altaf Hussain Najar, S/o Ab. Hamid Najar, R/o Laigriduri Idd Gah, Srinagar.
3. Pvt. Secretary to Hon'ble Chief Information Commissioner.
4. Guard file.

( Mohammad Syed Shah )

Registrar

J&K State Information Commissioner  
Srinagar.