



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/SA/47/2013

Decision No: SIC/CO/SA/47/2013-485

Title:- Mushtaq Ahmed Lone S/o Abdul Gani Lone R/o Bugam Chadoora, Distt; Budgam

V/s

PIO J&K SSSRB, Srinagar

Srinagar

23.07.2013

This is a complaint filed by Shri Mushtaq Ahmed Lone, a resident of the state against the PIO of J&K State Services Selection Recruitment Board (J&KSSSRB). The brief facts of the complaint are as under:-

The complainant filed an RTI application before PIO SSSRB Srinagar which was received by him on 14.2.2013 seeking certain information on number of points. The PIO passed order on 25.3.2013 vide No: SSB/Div/Kash/RTI/13/13/2196-97. As per the complaint, information on four points was provided and the PIO had informed the information seeker that Xerox copies as asked in point No: 5 will be provided separately. This information was to be received by him from the central office. The PIO as per record wrote to the APIO Central office on 27.3.2013 for providing information on point No: 5. Therefore, in letter and spirit the PIO has tried to adhere to the provisions of the Section 5 of the State RTI Act. However, it is the APIO whose assistance was sought and who has not rendered the assistance within the time. The assistance has been rendered after some delay. The officers who were required to assist the PIO to provide the information are advised to go through the provisions of Section 5 and follow the same strictly in future. Similarly, the PIO is also advised to implement Section 5(5) in letter and spirit in future.

2. The complainant later on filed first appeal on 5.4.2013 and the FAA disposed of this appeal by 20.4.2013. The disposal has been done within the time as provided under the Act. The FAA had directed the PIO to supply the remaining information within 20 days. The complainant's only grouse is that initially he was denied information on point No: 5 on the plea that it was to be retrieved and later on when he filed a complaint before this Commission, information was provided to him. The PIO has produced the relevant record showing therein that he had made all the efforts to seek the assistance of other officers for providing this information. The said assistance was delayed by the officers. As already stated above, the concerned officers are advised that in future they should adhere to the time limit of 5 days in assisting the PIO for providing the requisite information otherwise as per the provisions of Section 5 they will be declared deemed PIOs and penalty if any, will have to be imposed on them.

Sd/-

(G.R. Sufi)

J&K State Chief Information Commissioner

Copy to:-

1. Public Information Officer, J&K SSSRB, Srinagar
2. Shri Mushtaq Ahmed Lone, S/o Ab. Gani Lone, R/o Bugam Chadoora, District Budgam.
3. Private Secretary to Chief Information Commissioner
4. Guard file

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