



J&K State Chief Information Commissioner
Old Assembly Complex, Srinagar. Fax ;0194-2484268,2484269
Wazarat Road, Jammu. Fax No: 0191-2520947, 2520927

File No.SIC/CO/Comp/54/2013
Decision No.SIC/CO/Comp/54/2013/495

Title:- Advocate Shahnawaz Raina C/o District Court Shopian.
V/s
Public Information Officer, Indian Systems Medicine,
Zum Zum Hotel Complex, Ram Bagh, Srinagar.

Srinagar
23-08-2013.

The information seeker attended in person. The PIO as well as other officers of the I.S.M Department attended. The only issue in this case is that the complainant has filed RTI application before PIO for seeking certain information as listed in the RTI application. The order was to be passed on or before 11-07-2013. The order has not passed so far. The complainant has pleaded for providing of information. The complainant has not followed correct procedures laid down in the Act. He should have filed first appeal before First Appellate Authority. The mandate of section 15 of the State RTI Act is limited in view of Hon'ble Supreme Court's decision in the case of Chief Information Commissioner, Manipur V/s State of Manipur.

(2)

Dr. R.K.Raina, PIO is directed to explain why penalty proceedings may not be initiated for not passing order in time i.e within 30 days from the receipt of RTI. The penalty has to be reckoned from the date of passing order under section 7 till the date the actual date of furnishing information.

Sd/-

(G.R.Sufi)

Chief Information Commission, J&K.

Copy to the:-

1. Public Information Officer, Indian Systems Medicine, Zum Zum Hotel Complex, Ram Bagh, Srinagar.
2. Advocate Shahnawaz Raina C/o District Court Shopian.
3. Private Secretary to Hon'ble Chief Information Commissioner.
4. Guard file.

(Gh. Qadir Bhat)

Registrar,

J&K State Information Commission.