



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/SA/90/2013
Decision No.SIC/CO/SA/90/2013/566

Title:- Shri Amar Nath, Ex-S.I S/o Shri Shanker Dass R/o Khamb, R.S.Pura.

V/s

1. First Appellate Authority,
Directorate of Accounts and Treasuries,
J&K, Jammu.
2. Public Information Officer,
Directorate of Accounts and Treasuries,
J&K, Jammu.

Jammu

22-1-2014.

This is a second appeal filed by Shri Amar Nath, a resident of the State before this Commission on 26-11-2013. The brief facts of the case are that the appellant filed an RTI application before Treasury Officer, R.S.Pura on 20-9-2013. Not getting response within the stipulated period of maximum 30 days the appellant filed first appeal before the FAA i.e Director, Accounts and Treasuries on 21-10-2013. The FAA decided first appeal on 19-11-2013. The FAA held that as office building was gutted in fire and record on the basis of which information could have given was not available. The appellant has not rebutted the findings of the FAA that the office which was holding the record was gutted in fire on 5-8-2000.

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The FAA has also reported that the record which is being sought is as old as of 15 years. The counter file could not be traced out from A.G's Office and Bank Office. It is also submitted before the Commission that pension issue is very old and the pensioner had not objected the receipt of revised pensionary benefits i.e gratuity/commutation. The appeal does not accordingly fall strictly within the provision of State RTI Act as the information is neither being denied nor has been incorrectly or wrongly given. The appellant has made no grounds of appeal. However, the Commission considers it appropriate to advise the Director, Accounts and Treasuries to make another attempt by reconstructing the record from other sources. The PIO and Treasury Officer, R.S.Pura are advised to go through State RTI Act and get themselves acquainted with State RTI Act for appropriate disposal of RTI applications.

Sd/-

G.R.Sufi,

State Chief Information Commissioner.

Copy to the:-

1. First Appellate Authority, Directorate of Accounts and Treasuries, J&K, Jammu.
2. Public Information Officer, Directorate of Accounts and Treasuries, J&K, Jammu.
3. Shri Amar Nath, Ex-S.I S/o Shri Shanker Dass R/o Khamb, R.S.Pura.
4. Private Secretary to HCIC.
5. Guard file.

(G.Q.Bhat)

Registrar,

J&K State Information Commission,

Jammu