



**Jammu and Kashmir State Information Commission**

(Constituted under Right to Information Act 2009)

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

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File No.SIC/CO/Comp/27/2013

Decision No.SIC/CO/Comp/27/2013/571

Title:- Shri Yaseer Rasool Mir R/o House No.126, Prem Nagar, Christian Colony, Jammu.

V/s

1. First Appellate Authority,  
Public Service Commission,  
J&K, Jammu.
2. Public Information Officer,  
Public Service Commission,  
J&K, Jammu.

Jammu

09-01-2014

This is a complaint filed by Shri Yaseer Rasool Mir against the PIO of J&K Public Service Commission. The complainant has been heard. The present PIO Shri Feyaz Ahmad Sheikh, Additional Secretary, Public Service Commission attended. The complainant has complained that PIO passed order beyond stipulated period of time on his RTI application dated 25-4-2012 which was received in the office of PIO, PSC on 26-4-2012. The second plea in the complaint is that the information which was given to information seeker is false. The commission has gone through the record and found that PIO passed defective order on 31-05-2012, so far as it relates to appellant's right to having been informed about his right to file first appeal before FAA as provided under section 7 of the State RTI Act 2009. This plea of complainant is collaborated from the

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copy of order of PIO. The PIO has not followed the mandate of the Act for not informing the complainant about his right to appeal. So far as second point of complaint is concerned that the order has been passed late, it is seen that there is nominal delay of 5 days in passing the order. The commission has been informed that the PIO was incharge of exams in the capacity of Assistant Controller of exams. The delay being nominal, no further action is taken.

The complainant states that he was provided wrong information by informing him that PSC was not maintaining record for more than 12 years. However, the complainant has invited the attention of the commission to the notice issued by General Administration Department vide its No. GAD(L)F-392/2010 dated 1-4-2013 vide which the complainant maintains that it is established that the record on the basis of which his RTI application could have been replied was maintained by the PSC. The present PIO has been provided copy of this Government notification. He is required to explain why complainant was given a wrong and false information. The complainant has also mentioned that as the record which contain replies to his RTI application pertain to sub-judice matter, therefore it could not be weeded out. The PIO's reply if any must reach to this Commission within 30 days.

Sd/-

G.R.Sufi,

State Chief Information Commissioner.

Copy to the:-

1. First Appellate Authority, Public Service Commission, J&K, Jammu.
2. Public Information Officer, Public Service Commission, J&K, Jammu.
3. Shri Yaseer Rasool Mir R/o House No.126, Prem Nagar, Christian Colony, Jammu.
4. Private Secretary to the HCIC.
5. Guard file.

(G.Q.Bhat)

Registrar,

J&K State Information Commission,

Jammu