



**Jammu and Kashmir State Information Commission**

شٹیون کم شٹیون انفارم ٹی اسٹیون ری کشم نڈی ا جمون

(Constituted under The Right to Information Act, 2009)

**Wazarat Road, near DC Office Jammu, 0191-2520947, 2520937**

**Old Assembly Complex, Srinagar, 0194-2506660, 2506661**

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

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File No. SIC/K/SA/30/2016

Decision No. SIC/K/SA/30/2016/06

Appellant : Mr. Amir Ali.  
Respondents : Joint Director School Education Kmr.  
Date of Registration : 08.03.2016  
Date of Decision : 18.04.2016

The appellant filed Second Appeal before the Commission on 08.03.2016 stating that in pursuant to the judgment of Hon'ble Chief Information Commissioner, he submitted an RTI application before PIO Directorate of School Education Kashmir (DSEK) on 04.12.2015 and that PIO has not provided the requisite information, but has provided some irrelevant papers. That he submitted First Appeal before FAA dated 19.01.2016, but FAA also did not provide the requisite information, instead narrated some irrelevant story. The appellant has prayed the Commission that PIO may be penalized, FAA be warned and information be provided to him free of cost.

In compliance to the notice of the Commission, Mr. Saif Ali Chouhan Joint Director/FAA has filed reply, interalia submitting that Section Officer (Gazetted) provided counter statement/information vide letter dated 04.02.2006 (should have been 2016) and the same was supplied to the information seeker vide letter dated 06.02.2016.

As per documents enclosed with the reply of the FAA, Mr. Zahoor Ahmad Banday PIO DSEK has responded to the RTI application vide letter dated 23.12.2015 submitting '*information obtained from Gazetted Section is enclosed*'. Perusal of reply provided by Section Officer (Gazetted) reveal that duplicate copies of the orders have been obtained from the concerned schools which are duly recognized by the Department. Representative of the appellant submitted that he has received response of the PIO dated 23.12.2015, but attested copies of orders regarding recognition of 05 schools listed in the RTI application is not enclosed.

During proceeding, PIO DSEK submitted that copies of orders regarding recognition has not been provided to the information seeker as an enquiry has been ordered by the directorate to ascertain authenticity of these orders. However, J&K RTI Act, 2009 do not bar providing copies of orders, by virtue of which these schools have been recognized, even if enquiry is on because appellant has not sought proceedings of the enquiry but has only sought order copies of recognition of these schools.

In view of above, PIO DSEK is directed to provide attested copies of relevant orders to the appellant within 10 days under intimation to the Commission.

With the above directions, Appeal filed before the Commission is disposed of.

Sd/-  
(Nazir Ahmed)  
State Information Commissioner

Copy to the: -

1. Joint Director School Education Kashmir.
2. PIO Directorate of School Education Kashmir.
3. Private Secretary to Hon'ble State Information Commissioner.
4. Mr. Amir Ali s/o Mr. Ali Mohammad Dar r/o Zabgulla Beerwah,  
Budgam.

(M.S. Bhat),  
Deputy Registrar,  
State Information Commission