



Jammu and Kashmir State Information Commission
(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

File No. SIC/K/SA/32/2016
Decision No. SIC/K/SA/32/2016/24

Appellant : Sh. Fayaz Ahmad S/o Muhammad Hussain
R/o Kharboo Drass Kargil

Respondent : FAA/PIO Employment Kargil

Date of Registration : 24.02.2016

Date of Decision : 11.05.2016

Brief facts of the case are that appellant filed Second Appeal on 06.02.2016 against Deputy Director District Employment and Counseling Centre Kargil and Chairman DSSRB, DC Kargil. It is submitted that he moved an application to respondent No. 1 under J&K RTI Act 2009 dated 05.10.2015. That respondent No. 1 failed to proved the required information within prescribed period i.e. by 05.11.2015. Thereafter, he filed First Appeal before Deputy Director District Employment Kargil under Section -16 of the J&K RTI Act 2009 on 05.11.2015. That this appeal has been filed

challenging the denial by respondent for not providing the required information.

In view of the above, appellant has prayed that respondents be directed to pay penalty under Section-17 of the J&K Right to Information Act, 2009 for failure to provide the required information within the prescribed time period and direct respondents to provide the information sought without further delay and any other relief which the Commission deem fit and proper in favour of the appellant.

Mr. Muhamamd Hussain, Dy. Director District Employment and Counseling Centre Kargil /FAA submitted before the Commission that RTI application was addressed to PIO/Chairman District Services Selection Recruitment Board Kargil, which was transferred to him by said office on 27.10.2015 and received on 28.10.2015. That his office acted promptly and provided information vide letter dated 29.10.2015. Thereafter, in response to the First Appeal, Dy. Director District Employment and Counseling Centre Kargil has informed appellant vide letter dated 28.11.2015 that hard copy of answer sheet of the appellant and criteria/award list has been provided to him. However, Xerox copy of the answer sheets of all selected candidates cannot be provided to the candidate due to involvement of 3rd party. As regards xerox copies of answer sheets of the candidate i.e. appellant, PIO has invited the appellant for inspection of his answer sheet.

Heard Parties and perused records.

In response to Point-1 Dy. Director District Employment and Counseling Centre Kargil /FAA has referred to letter of District Youth Services and Sports Officer, Kargil regarding fixation of criteria and criteria

fixed thereafter by the Selection Committee of LAHDC-Kargil. Accordingly, Dy. Director District Employment and Counseling Centre Kargil is directed to provide copy of letter of District Youth Services and Sports Officer Kargil and criteria fixed by the Selection Committee, besides attested copy of answer sheet to the appellant within one week. Information on other points has been provided except in respect of Point-5, where the information sought pertains to answer sheets of other selected candidates. This has been denied by the PIO on grounds of “*third party information*”. This response of the PIO is in accordance with the consistent stand of the Commission in similar cases.

Accordingly, appeal is disposed of with above directions.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the:-

1. Deputy Commissioner/CEO LAHDC Kargil
2. FAA/ Dy. Director District Employment and Counseling Centre Kargil
3. PIO/ District Employment and Counseling Centre Kargil
4. Pvt. Secy to HSIC (K)
5. Sh. Fayaz Ahmad S/o Muhammad Hussain R/o Kharboo Drass Kargil

(G.Q.Bhat)
Registrar,
J&K State Information Commission