



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/49/2016
Decision No. SIC/K/SA/49/2016/32

Appellant : Sh. Imran Irshad Khan
R/o Jalal Abad, Adipora Sopore, Baramulla

Respondent : Dy. Director (P) Animal Husbandry Department
Kashmir

Date of Registration : 18.04.2016

Date of Decision : 20.05.2016

This is an appeal filed on 18.04.2016 in reference to RTI application dated 04.02.2016, where under the appellant has sought scanned copy of interview points of every candidate who went through the interview along with the breakup of points given by every panelist with their signatures. That department did not provide information citing violation of Rule 8 of RTI Act. Thereafter, appellant filed First Appeal dated 04.03.2016, wherein the appellant has requested the department to provide information by hiding the names and signatures of the interview panelists which cannot cause any violation to Rule 8 of RTI Act. FAA/Director Animal Husbandry Department Kashmir vide letter dated

26.03.2016, while disposing of First Appeal, has mentioned that that information with regard to total interview points obtained by every interviewed candidate has already been provided and so far as the scanned copy of panelist-wise interview points sheet is concerned, it cannot be made available without seeking consent from the concerned panelists which is to be kept confidential in view of their security concern.

Dr. Qaiser Ali Naz PIO/Dy. Director Animal Husbandry Department Kashmir and counsel for appellant, Kaiser Ali attended the hearing. The PIO in his reply dated 30.04.2016 has submitted that they contacted the concerned panelists telephonically who have not agreed to provide the scanned or Xerox copy of their respective award rolls to the appellant in view of their security concern. However, they have conveyed no objection in providing the said information in print form to the applicant without mentioning the name of the panelist.

This plea of the respondent have been responded by the appellant by filing objections in his counter response dated 09.05.2016 at Para-V, objecting that there is no consent required to provide the information that the appellant has sought. That respondents have agreed to provide the information in print form which is not tenable as this is to be provided in the same form as it is required; hence para is accordingly denied and replied. He has accordingly requested to set aside order passed by the FAA and provide the information in the form as it is sought.

The respondent PIO submitted that the marks awarded by the panelists have been entered in their own handwriting and there is apprehension that the handwriting can be replicated/recognized. He submitted that the panelists have initialed the award marked by them and therefore, this cannot be disclosed. The counsel for the appellant submitted that they have apprehensions that the information to be provided in replica would be at variance with the original award and requested the Commission to peruse and authenticate printed copy. This plea

of the appellant appears reasonable. Accordingly, PIO is directed to produce original award sheet and print copy before the Registrar, State Information Commission. PIO requested that he needs one weeks time to print the award sheet.

Accordingly, the case is disposed of with directions to PIO to produce original and printed sheet before Registrar State information Commission on the date communicated to both parties by Registry.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the:-

1. Director Animal Husbandry Department Kashmir
2. PIO/Dy. Director Animal Husbandry Department Kashmir
3. Pvt. Secy to HSIC (K)
4. Sh. Imran Irshad Khan R/o Jalal Abad, Adipora Sopore, Baramulla

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