



**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**  
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File No. SIC/K/SA/38/2016  
Decision No. SIC/K/SA/38/2016/47

Appellant : Sh. Mir Tafveez Mehmood  
Respondent : FAA/PIO J&K State Agro Industries Development Corporation Ltd. Lal Mandi Srinagar  
Date of Registration : 11.04.2016  
Date of Decision : 30.06.2016

**Dated: 30.06.2016**

1. Brief facts of the case are that Shri Mir Tafveez Mehmood has filed Second Appeal in the Commission on 11.04.2016 against J&K State Agro Industries Development Corporation Ltd. for non-compliance of RTI Act. Appellant has submitted that J&K State Agro Industries Corporation Ltd has failed to provide him information sought vide application filed on 04.11.2015. Thereafter, he filed First Appeal before FAA, but Corporation failed to provide him the requisite information. The appellant has requested the Commission to direct the J&K State Agro Industries Corporation to disclose the information and provide the same to him.

2. As per records the appellant has filed RTI application on 04.11.2015 before PIO J&K Commission to direct the J&K State Agro Industries Development Corporation seeking following information:-

- i) *Details of shortlisted candidates for the interview of following post*
  - a) *Assistant Manager (Marketing)*
  - b) *Assistant Manager (Cattle Feed Production)*
- ii) *The merit list of shortlisted candidates for interview with segregated scores of written exam and interview*
- iii) *The criteria for selection of the above mentioned posts.*
- iv) *Copies of qualification and experience certificates of the selected candidates for the above mentioned posts.*

3. The application of the appellant was responded by Mr. Mr. M.M Gani Divisional Manager J&K State AIDCL vide letter dated 26.11.2015 whereby the applicant was informed to deposit the Postal order for Rs 10/- in the name of Accounts officer J&K State Agro Industries Development Corporation Ltd. Lalmandi Srinagar so that the information sought is furnished to him.

4. During proceedings on 12.05.2016, appellant submitted that he has received incomplete information. The appellant was directed to communicate PIO within one week as to in which respect the information is incomplete vis-à-vis RTI application under intimation to the Commission.

5. During hearing on 24.05.2016, the appellant submitted that in compliance to directions of Commission, he has conveyed deficiencies in information to PIO on the same date and they have received it.

6. After hearing parties on 08.06.2016, the Commission passed following interim order:

1. *Mr. M.M Gani Divisional Manager J&K State AIDCL/FAA, M.R. Khan Divisional Manager/PIO J&K State AIDCL and appellant Shri Mir Tafveez Mehmood attended the hearing.*
2. *In response to the summons/show cause notice Mr. M M Gani Div Manager/FAA and M.R. Khan Divisional Manager/PIO J&K State AIDCL filed explanations which is taken in record.FAA also filed counter statement to the deficiencies pointed out by the appellant.*
3. *The Commission perused information sought by the appellant and information provided by the PIO. It was found that information in respect of Point 1, 3 & 4 have already been provided. At Point-2, the appellant has sought merit list of shortlisted candidates for interview with marks awarded for written exam and interview separately. The respondents submitted that marks obtained in the written examination have been provided. The only information pending now is marks obtained in the interview. On this point, the respondents in counter statement dated 07.06.2016 submitted that there is an enquiry going on and the information sought would be made available to the appellant after the findings of the enquiry officer are made known to the Corporation and authenticity of the interview marks, verification report of degree certificates and experience certificates of selected candidates etc are clarified.*
4. *This reply of the respondents is not acceptable in view of the fact that selection process has been concluded and appointments have been made. Therefore, public authorities are under legal obligation to publish marks obtained both in written and in interview and put them in public domain as per practice adopted by all recruiting agencies of the State i.e., PSC, SSB etc.*

5. *FAA submitted that file containing this information has been handed over by him to General Manager (Hqrs) J&K State AIDCL and file containing this information is with the MD's Office.*
6. *Accordingly, Mr. M.M. Gani Div Manager is directed to file an affidavit in this regard. Further, PIO is directed to seek assistance of MD of the Corporation under Section 5(4) of the Act to get the information of marks awarded in interview under intimation to the Commission. Consequently, the MD/Officer in MD's office holding this file information shall become deemed PIO under Section 5(5) of the Act.*

7. Mr. M.M Gani Divisional Manager J&K State AIDCL/FAA, M.R. Khan Divisional Manager/PIO J&K State AIDCL and appellant Shri Mir Tafveez Mehmood attended the hearing today on 30.06.2016

8. In Compliance to the directions of the Commission referred to above, Mr. M.M Gani Divisional Manager J&K State AIDCL/FAA submitted reply dated 29.06.2016 stating that in compliance to the order passed by the Hon'ble Commission dated 13.06.2016, deficient information regarding point 2 i.e. the Marks list of short listed candidates for the post of Asstt. Manager Marketing have been provided to the appellant by PIO vide communication dated 25.06.2016 with copy to SIC. The appellant pointed out that merit list given to him is only for the post of Asstt. Manager marketing, whereas he has applied for post of Assistant Manager (Cattle Feed Production) as well. For both these posts, a single written examination was conducted and a single interview was conducted. The appellant wants confirmation whether the award list of interview/viva-voce for the post of Asstt. Manager Marketing has also been considered for the post of Asstt. Manager (Cattle Feed Production) in respect of all candidates.

9. Since the single interview has been conducted for the two posts as admitted by the respondents, PIO is directed to inform appellant within 10 days whether

award list for Asstt. Manager Marketing is applicable to other post of Asstt. Manager (Cattle Feed Production) also.

Accordingly, appeal filed before the Commission is disposed of.

**Sd/-**  
**(Nazir Ahmed)**  
**State Information Commissioner**

**Copy to the:-**

1. FAA/Divisional Manager J&K State Agro Industries Development Corporation Ltd. Lal Mandi Srinagar
2. PIO/ Divisional Manager J&K State Agro Industries Development Corporation Ltd. Lal Mandi Srinagar
3. Pvt. Secy to HSIC (K)
4. Shri Mir Tafveez Mehmood, Research Scholar, Department of Tourism Studies, Central university of Kashmir, Nowgam, Wanabal, Campus-01 Srinagar

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