

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/CO/SA/402/2016
Case No. SIC/CO/SA/402/2016/936

Appellant : Sh. Pran Nath
Respondent : PIO PWD(R&B)
Date of decision : 30-03-2017
Decision : Appeal disposed of.

I. Brief facts of the case.

1. The Appellant Shri Pran Nath, submitted RTI Application before the PIO PWD(R&B) Department, J&K Civil Secretariat, Jammu on 05-04-2016 seeking information regarding clarification of degree qualification of his son Shri Eshan Pandita in terms of recruitment rules.
2. The PIO responded on 11-04-2016 by furnishing him the copy of J&K Engineering (Subordinate) Service Recruitment Rules notified vide SRO 180 of 1997 dated 28-05-1997.
3. Not satisfied with the reply of the PIO, appellant filed 1st appeal dated 25-04-2016 with the FAA. As per the record his first appeal was disposed by the FAA on 10-06-2016 with the directions to the PIO to furnish the information to the appellant.

4. Finally, appellant filed 2nd appeal under section 16(4) of the J&K RTI Act, 2009 with the Commission, with the request to provide him the requisite information.

II. Proceedings before the Commission on 30-03-2017.

1. The 2nd appeal came up for hearing before the Commission on 30-03-2017. Dr. Des Raj Bhagat, FAA Shri Manzoor Ahmad PIO and Appellant attended the hearing.
2. Appellant submitted that he has not been provided the information sought by him vide his basic RTI application yet.
3. PIO Shri Manzoor Ahmad has submitted written statement before the Commission dated 25-03-2017 stating therein that pursuant to the decision of the FAA, appellant was informed that the case stands already under examination. The Authorities have proposed to constitute a Committee in matter and as soon as matter is decided, same will be conveyed to the appellant. He further states that the said committee has furnished the report on 23-03-2017, which is under examination in the Department.
4. The Commission has heard both the parties at length and their statement has been considered.

III. Decision:

The PIO is directed to collect the information of all those Engineers who have been appointed as JEs in the Mechanical Engineering Department having Production Engineering as a basic qualification and provide the same to the Appellant. Further, the PIO is also advised to expedite the decision on the interpretation of the existing recruitment rules to determine whether diploma/degree in

Production Engineering was also among the prescribed academic qualification for the post of JE (Mechanical).

The appeal is accordingly disposed of.

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(Khurshid A. Ganai) *IAS Retd.*,
Chief Information Commissioner.

Copy to the:

1. Public Information Officer, PWD(R&B) Department, J&K Civil Secretariat, Jammu for information.
2. Shri Pran Nath S/o Late Shiv Ji Pandit R/o H.No. 3.2 Sec-01 Vikas nagar, Sarwal, Jammu for information.
3. Guard file.

(Shiekh Fayaz Ahmad)
Registrar,
JK State Information Commission.