



Jammu and Kashmir State Information Commission

(Constituted under Right to Information Act 2009)

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File No: SIC/J/A/95 /2017

Decision No: SIC/J/A/95 /2017/393

Sh. R.S.Raju	Appellant	Present
Sh.Darshan Lal	First Appellate Authority	Present
Sh. Farrukh Qazi	Public Information Officer	Present
Date of Registration:	7 / 03 / 2017	
Date of decision:	31/ 03 / 2017	

Brief Facts of the Case:

The appellant Sh. Rajinder Singh Raju filed the 2nd appeal before the State Information Commission on 7.3.2017 stating that he filed an application under the RTI Act,2009 before the Public Information Officer (PIO) of the Directorate of School Education Jammu on 19.10.2016,Whereunder he sought following information:

1. List of B.Ed.Graduate Govt.Teachers promoted as Master grade in the month of February 2014 by the Director School Education Jammu.
2. Date of First appointment of promoted Teachers to Master Grade.

The Public Information Officer (PIO) vide No. DSEJ/RTI/2016/49072-74 dated 15.11.2016 replied to the RTI application of the appellant. Feeling aggrieved of the information provided by the PIO, the appellant filed appeal before the First Appellate Authority (FAA) of the Director School Education Jammu on 10.12.2016 through Registered post. However, no reply was received from the FAA even after the expiry of statutory time period as

prescribed by the law (RTI Act, 2009) despite FAA had assured him of providing the information within the stipulated time. Therefore, the 2nd appeal before the State Information Commission.

PROCEEDINGS/HEARING

The State Information Commission issued notice to the concerned parties and listed the matter for hearing on 31st of March 2017. In compliance to notice, Sh. Darshan Lal (FAA), Sh. Farrukh Qazi (PIO) and Sh. R. S. Raju, appellant appeared before the Commission.

During the course of the proceedings, the PIO submitted that the department is not hiding or denying the information sought by the appellant under RTI application. The original record pertaining to DPC of the year 2014 has been seized by the Vigilance Organisation, Jammu in connection with some investigation and that the relevant record is in their custody.

The appellant however submitted that if the original record has been seized by the Vigilance Organisation then how the Department has promoted and adjusted the masters in different schools just few months back.

The PIO however, assured that as and when the original record is returned by the Vigilance Organisation and received by the Department, complete information will be provided to the appellant. The PIO also agreed to provide to the appellant the order copy of the Masters recently adjusted by the Directorate.

In view of the aforesaid facts and submissions, the PIO, Directorate of School Education, Jammu is directed to send an official request to the vigilance Organisation for providing a copy of the original record pertaining to DPC-Feb 2014, so that complete information is provided to the appellant. PIO is also directed to dispatch the information to the residential address given by the appellant in his RTI application with intimation to the Commission (SIC).

Appeal is accordingly, disposed of.

Copies of this order be given free of cost to the parties.

Sd-
(Khursid A. Ganai) IAS Retd.
Chief Information Commissioner
J&K State Information Commission

No: SIC/J/A/95/2017/_____

Dated; /04/2017

Copy to:

1. Director School Education, Jammu/FAA for information and compliance.
2. Jt. Director School Education, Jammu/PIO for information and compliance.
3. Sh.R.S.Raju Advocate R/o H.No.234,JMC Nasib Nagar,Janipur,Jammu.
4. Office file.

(Dr.Gh.Mohi-Ud-Din)

Jt.Registrar

J&K State Information Commission