



Jammu and Kashmir State Information Commission

شنیشن کمیٹی انفارمیر اسٹینیٹ کشمیر جموں ا

(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/397/2017

Decision No. SIC/CO/SA/397/2017/951

Appellant : Sh. Rouf Ahmad Jan

Respondent : First Appellate Authority (FAA)/
Public Information Officer (PIO), J&KSSB,
Srinagar.

Date of Decision : 09.05.2017

Brief Facts:

This 2nd appeal was filed by Sh. Rouf Ahmad Jan, a resident of the State under section 16 (4) of J&K RTI Act, 2009 against the order of the First Appellate Authority (FAA), J&K Service Selection Board on the ground that the said authority had neither decided the appeal nor provided the information as asked for by the appellant. The appellant had filed RTI application dated: 15.02.2016 with PIO, J&KSSB for getting certain information relating to action taken report of his representation dated: 20.08.2014 and 28.08.2015. He filed First Appeal on 31.05.2016 after he didn't receive the response from the PIO. In his First Appeal, the appellant requested the FAA to show and provide him the relevant documents pertaining to his selection as Junior Assistant on the ground that the appellant has not been awarded additional marks for his post graduate qualification. His First

Appeal too was not disposed of by the FAA which constrained him to file 2nd Appeal with the Commission.

Proceedings:

The 2nd Appeal came up for hearing before the Commission for the first time on 11.03.2017 which was attended by the PIO and the appellant. The Commission after hearing the parties directed the PIO to hand over copy of the office note sheet which the PIO did. The PIO was also advised to expedite the final consideration and decision on the award of additional marks for the post graduation (MCA) to the appellant so that his position in the merit list is determined accurately. The case was again listed for hearing on 22.03.2017. The Commission directed the respondents to allow the appellant to have access to record for inspection vis a vis his RTI application. PIO was also directed to apprise the Commission about the action taken in this regard and in the matter of providing more documents to the appellant and about awarding of additional marks for his post graduation qualification, if the claim is found in order.

During hearing on 09.05.2017 the case was attended by PIO, J&K SSB and the appellant.

Decision:

This Commission has already given very clear directions on 22nd of March, 2017 for enabling the access to the records for inspection and also for provision of additional documents, if any, asked for by the appellant. The appellant is now advised to submit a fresh application to the PIO for any additional documents. However, his plea that the Commission may issue directions to the J&KSSB for award of additional marks on account of his MCA degree is not accepted. It is

made clear to the appellant that such a direction does not fall within the purview of the J&K State Information Commission and that he is free to represent to an appropriate forum for redressal of his grievances viz. additional marks for his MCA Post Graduate Qualification, after securing the documents from the J&KSSB. It is noted with satisfaction that the J&KSSB has already provided to him copy of the file note sheet of the J&KSSB pertaining to the appellants claim for additional marks for MCA/post graduation degree.

With these directions this 2nd appeal is disposed of.

Sd/-

(Khurshid A. Ganai) *IAS Retd.*
Chief Information Commissioner
J&K State Information Commission
Dated: .05.2017

No: SIC/CO/SA/397/2017_____

Copy to:

1. FAA, J&K Service Selection Board, Srinagar.
2. PIO, J&K Service Selection Board, Srinagar
3. Appellant/Sh. Rouf Ahmad Jan, Senior Assistant, GAD, Civil Secretariat, Srinagar.
4. Office file.

(Skeikh Fayaz Ahmad)
Registrar
J&K State Information Commission