



**Jammu and Kashmir State Information Commission**

شنیشن کمیٹی انفارمیری اسٹیٹسٹ 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**

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File No. SIC/J/A/108/2017

Decision No. SIC/J/A/108/2017/04

**Final Order**

Appellant : Smt. Vijay Lakshmi, W/o. Sh. Vijay Pal  
Sharma, R/o. Village Danpur, P.O.  
Jorian, Jammu.

Respondent : First Appellate Authority (FAA)/Joint  
Director, School Education, Jammu and  
Public Information Officer (PIO)/Chief  
Education Officer (CEO), Jammu.

Date of Registration : 11.04.2017

Date of Decision : 23.05.2017

**Brief Facts:**

This is a second appeal filed under section 16 (4) of the J&K Right to Information Act, 2009 in the J&K State Information Commission by one

Smt. Vijay Lakshmi, W/o. Sh. Vijay Pal Sharma, R/o. Village Danpur, P.O. Jorian, Jammu admitted on 11.04.2017. The appeal is against the orders/alleged inaction of the PIO/CEO, Jammu and the FAA viz. Joint Director, School Education, Jammu. The appellant has alleged that she had submitted an RTI application to the PIO/CEO, Jammu on 29.08.2016 seeking copy of the notification issued by that office vide

Notice No. CEOJ/36732-33 dated: 22.12.2014 regarding withdrawal of vacant posts of ReT Teachers (Rehabar - e - Taleem), advertised earlier on 03.03.2014 for filling up, which was however not provided to her within the stipulated time and thereby compelling her to file the First Appeal.

As per the records, she had filed the First Appeal before the Director, School Education, Jammu on 20.10.2016. The FAA namely Sh. Darshan Lal, Joint Director, School Education, Jammu has disposed of her First Appeal on 25.11.2016 directing the PIO to provide the requisite information to the appellant. In his order, the FAA has also taken a serious note of non-attendance of the PIO or any of his representatives in the First Appeal hearing.

### **Proceedings:**

The second appeal filed in the Commission and admitted on 11.04.2017 after completion of deficiencies, came up for hearing for the first time on today i.e. 23.05.2017. During the hearing, it transpired that the applicant has now received the information in the 3<sup>rd</sup> week of March, 2017 i.e. after she had filed the 2<sup>nd</sup> appeal in the Commission. On perusal of various documents on the file and those provided by the PIO/CEO, Jammu it transpired that the PIO/CEO, Jammu had actually provided her information vide his No. CEOJ/RTI/ 27298-99 dated: 26.09.2016 which was, however, posted to her on 21.10.2016. The PIO submitted that there was no need for her to file the First and Second Appeals as the information had been provided to her in October, 2016.

### **Directions:**

**After hearing both the parties and on perusal of the records on the file and those submitted by the FAA and the PIO and also after admission by the appellant that she had received the information, it is directed that the appeal is disposed of as closed. However, taking note of the manner in which a very simple application for information filed by Smt. Vijay Lakshmi (information seeker) has been handled by the office of the**

**PIO/CEO, Jammu it is necessary to recommend to the PIO that he must examine the manner in which the RTI Cell functions in his office and take necessary steps to streamline its working. A recommendation is also made to the Director, School Education, Jammu to issue appropriate instructions to all the PIOs of School Education Department and CEOs in Jammu division falling under his administrative control for similar action so that the RTI applicants do not have to face difficulties in obtaining replies to their applications for information from the Public Authorities of School Education Department, Jammu.**

With these directions the appeal is accordingly disposed of.

Copy of this decision be given free of cost to the parties.

**Sd/-**

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

No: SIC/J/A/108/2017\_\_\_\_\_

Dated: .05.2017

Copy to:

1. Director School Education, Jammu for information and necessary action.
2. FAA/Sh. Darshan Lal, Joint Director, Directorate of School Education, Jammu.
3. PIO/Sh. Ram Pal Bal, Chief Education Officer, Jammu.
4. Appellant/Sh. Vijay Lakshmi, W/o. Sh. Vijay Pal Sharma, R/o. Village Danpur, P.O. Jorian, Jammu.
5. Office file.

(Rita Koul)  
Deputy Registrar  
J&K State Information Commission