



## **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](http://www.jksic.nic.in)

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File No. SIC/CO/Comp/140/2017

Case No. SIC/ CO/ Comp/140/2017/962

### **Final Order.**

Appellant : Sh. Deepak Koul.  
Respondent : PIO J&K SSB.  
Date of decision : 06-06-2017.  
Decision : Complaint disposed of.

#### **I. Brief facts of the case.**

Briefly, the facts of this case are that the complainant while exercising his Right to Information filed an RTI application dated 01-04-2015 with Secretary J&K SSB, seeking information regarding the result of the post of photographer in Industries & Commerce Department for which he had appeared in the examination.

After he did not get the information, he approached Chairman J&K SSB vide application dated 13-03-2016 for getting the desired information. At last, he filed this complaint before the State Information Commission (SIC) on 18-05-2016 with the request to take action against the respondents for having failed to provide him the information under the Act.

#### **II. Proceedings before the Commission.**

The case was listed for hearing before the Commission on 29-03-2017, 08-05-2017 and on 06-06-2017. The complainant never appeared before the Commission despite due notice served upon him through prescribed mode of service. During the hearing on 08-05-2017, Commission passed an interim order giving the complainant the final opportunity to make his presence before the Commission on the next date of hearing i.e on 06-06-2017 as he had not appeared on the date of previous hearing on 29-03-2017 despite due notice served upon him through prescribed mode of service. PIO was also directed to come up with the latest status of the complainant's representation by or before the next date of hearing.

During the hearing on 06-06-2017, complainant again remained absent. PIO, Sh. Hamid-ullah who attended the hearing submitted that the requisite information has been furnished to the complainant in compliance to the directions

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of the Hon'ble High Court. Respondents also filed counter reply dated 11-05-2017 before the Commission in this regard as well. In the counter statement dated 11-05-2017 PIO of the SSB has stated that the RTI application of the complainant could not be entertained as it was found deficient and not in consonance with the RTI Rules and that, the complainant did not willfully attend the hearings before the 1<sup>st</sup> Appellate Authority of the SSB.

III. **Decision:**

**As the complainant neither appeared himself nor sent his authorized representative to the scheduled hearings, it is not possible to arrive at any conclusion in terms of Section 15 and Section 17 of the J&K RTI Act, 2009, which lay down the procedure for disposal of complaints under the said Act. As such, no further, intervention of the Commission is required in the matter.**

***Complaint is accordingly disposed of.***

**-sd/-**

(Khurshid A. Ganai) *IAS Retd.*,  
Chief Information Commissioner,  
J&K State Information Commission.  
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Copy to the:

1. First Appellate Authority (FAA), J&K SSB for information.
2. Public Information Officer (PIO), J&K SSB for information.
3. Sh. Deepak Kaul, S/O M.K Kaul, R/O H.No-367, Lane No-02, Ext. Bank Colony, Anand Nagar, Bohri Patta, Jammu

(Shiekh Fayaz Ahmad)  
REGISTRAR,  
J&K State Information Commission.