



Jammu and Kashmir State Information Commission

جموں اینڈ کشمیر اسٹیٹ انفارمیشن کمیشن

(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/K/SA/26/2017

Decision No. No. SIC/K/SA/26/2017/18

Appellant : Mr. Gh. Mohammad Ganai

Respondent : First Appellate Authority (FAA)/Public Information Officer (PIO) Directorate of School Education Department Kashmir (DSEK)

Date of Registration : 21.04.2017

Date of Decision : 29.06.2017

Brief Facts:

The Second Appeal came up for hearing today on 29.06.2017. Sh. Saif Ali Chouhan First Appellate Authority (FAA) and Shri Zahoor Ahmad Banday, Public Information Office (PIO) Directorate of School Education Department Kashmir attended the hearing. During proceedings before the Commission, PIO submitted that the appellant has fraudulently made insertions in his Service records and has forged the signatures of various officials of the Department. The PIO invited the attention of the Commission towards an order dated 14.12.2015 passed in file No. SIC/K/SA/92/2015 in case titled Mr. Bashir Ahmad Ganie v/s Chief

Education Officer Kulgam, whereby the Hon'ble State Information Commissioner had observed that the issue in the RTI application involves alleged tampering/correction of date of birth by an official of School education department and accordingly directions were issued to forward copy of the order to Commissioner/Secretary to Government School Education Department Civil Secretariat Jammu and Director School Education Kashmir for appropriate action. The PIO Directorate of School Education during hearing reiterated that the subject matter of the RTI application of the appellant is under investigation and disciplinary action in accordance with law is being initiated by the Directorate.

The appellant Shri Gh. Mohammad Ganai did not attend the hearing despite the fact he was informed to appear before the Commission on scheduled date of hearing i.e., today. The FAA in his reply/counter statement dated 06.05.2017 has also submitted that the appellant failed to appear before the First Appellate Authority of the Directorate for disposal of the First appeal.

Since the appellant has failed to cause his appearance either before FAA or the Commission on the scheduled date and time of hearing, therefore, it implies that he is not interested in seeking the requisite information. Instead, it seems that the appellant through the RTI and the appeals thereof etc is trying to pressurize/divert the attention of the concerned directorate/officers from taking any disciplinary action against

him for his alleged involvement in tampering/forging of his own service record.

Therefore, the Second appeal filed by the appellant is found without any merit and is accordingly rejected.

Sd/-
(Khurshid A. Ganai) *IAS Retd*
Chief Information Commissioner

Copy to:

1. FAA/Jt. Director, Directorate of School Education Department, Kashmir
2. PIO O/o Directorate of School Education Department, Kashmir
3. Pvt Secy to HCIC J&K Srinagar
4. Appellant-Sh Gh. Mohammad Ganai S/o Gh. Nabi Ganai R/o Akhran, Kulgam
5. Office file

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