



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

File No. SIC/CO/SA/478/2017
Decision No. SIC/CO/SA/478/2017/**1000**

Final Order:

Appellant : Sh. Sonu Singh.
Respondent : FAA/PIO J&K Service Selection Board (SSB).
Date of decision : **26-10-2017**
Decision : Appeal disposed of.

Facts:

Briefly the facts of this case are that the appellant while exercising his Right to Information filed RTI application dated 30-03-2017 with Public Information Officer, (PIO) J&K Service Selection Board (SSB) seeking the following information:

1. Provide the details of the candidates who were selected and under the waiting list for the post of Vaternary Pharamacist (Animal and Sheep Husbandry) District Cadre Jammu under item No. 489 under notification No. 05 of 2015.
2. Provide the copy of application form, written test Answer sheets written test attendance sheet and check list of selected candidates namely Ricky Singh S/O Kulbir Singh under roll No. 11800519725.

The PIO responded to the RTI application on 18-04-2017 stating therein that the selection list along with waiting list has already been uploaded on the web site of J&K SSB and OMR answer sheets have not been received from the agency concerned.

Not satisfied with the reply of the PIO, the appellant filed 1st appeal on 04-05-2017, with First Appellate Authority (FAA) J&K SSB. However, FAA too did not dispose of the 1st appeal as a result he filed 2nd appeal with the SIC which was received on 30-06-2017.

Proceedings before the State Information Commission(SIC):

The 2nd appeal came up for hearing before the SIC on 31-08-2017. The hearing was attended by Sh. A.R. Bhat, PIO J&K, SSB. The appellant was heard through video conferencing from Jammu office of the SIC. The appellant submitted that he had been provided only the partial information and the PIO has not provided him the following information:

- i. Copy of the application form of Sh. Ricky Singh.
- ii. Copy of attendance sheet of written test of Sh. Ricky Singh.
- iii. Copy of check list of documents that was given to Sh. Ricky Singh before the interview.

The SIC after hearing the parties observed that the information sought for pertains to third party which call for initiation of proceedings under section 16(5) of the J&K RTI Act, 2009 for providing the opportunity of being heard to the third party Sh. Ricky Singh before the SIC. The hearing was as such adjourned.

The 2nd appeal came up again for hearing on 06-10-2017. The hearing was attended by Sh. Abdul Rehman Bhat, PIO, J&K SSB. Appellant appeared through video conferencing from Jammu office of the SIC. However, Sh. Ricky Singh who was called for hearing in terms of section 16(5) of the Act did not appear despite due notice. The 2nd appeal was adjourned again with a view to give a final opportunity to Sh. Ricky Singh (Third Party) before concluding the 2nd appeal.

The 2nd appeal was listed for final hearing on 26-10-2017. The hearing was attended by Sh. Abdul Rehman Bhat, PIO, J&K SSB. Sh. Ricky Singh (Third Party) appeared through video conferencing from Jammu office of the SIC. However, the appellant did not attend.

During the hearing, Sh. Ricky Singh (Third Party) submitted that he has no objection if the information sought by the appellant relating to him is provided to the appellant. His oral statement was taken on record.

Decision:

As the Third Party Sh. Ricky Singh has shown his willingness in parting with the information pertaining to him which has been sought by the appellant through his basic RTI application, therefore, now there remains no reason for withholding the same. The PIO

is accordingly, directed to provide the requisite information to the appellant within 15 days from the date of receipt of this order.

2nd appeal is accordingly disposed of subject to above directions.

Copy of order be provided to the parties free of cost.

-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 Service Selection Board for information.
2. Public Information Officer (PIO), J&K Service Selection Board for information.
3. PS to CIC for information of HCIC.
4. Sh. Sonu Singh S/o Late Harbajan Singh R/o Camp Gole Gujral, Talab Tillo, Jammu.
5. Guard file.

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