



**Jammu and Kashmir State Information Commission**

شنیشن کمیٹ انفارمیری اسٹینیٹ کشمیری 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](http://www.jksic.nic.in)

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File No. SIC/CO/SA/489/2017

Decision No. SIC/CO/SA/489/2017/**1012**

**Final Order**

**(2<sup>nd</sup> Appeal)**

Appellant : Mr. Shahid Raza.

Respondent : First Appellate Authority (FAA) and  
Public Information Officer (PIO), J&K Services  
Selection Board (J&KSSB), Jammu.

Date of Registration : 17.08.2017

Date of Decision : 07.11.2017

**Brief Facts:**

The appellant Mr. Shahid Raza, S/o. Syed Anwar Hussain, V.P.O. Mandi, District Poonch, J&K filed RTI application dated: 29.07.2016 with the PIO, J&KSSB seeking documents of the two candidates namely Yasir Ahmad and Lal Hussain who had applied for the post of Teacher under Item No. 78, Advertisement No. 02 of 2012 and viva marks list for all those candidates of District Poonch who faced viva.

The PIO did not furnish any reply as such applicant (now appellant) filed First Appeal with the FAA, J&KSSB on 04.11.2016 which was disposed of by the FAA on 27.01.2017 with the direction to the PIO to dispose of the RTI application under the provisions of the J&K RTI Act, 2009. The appellant did not get the information even after the directions of the FAA which constrained him to file 2<sup>nd</sup> Appeal with the State Information Commission (SIC). His 2<sup>nd</sup> appeal was admitted in the SIC on 17.08.2017 after the delay was condoned in terms of proviso to section 16(4) of the Act.

### **Proceedings:**

The appeal for the first time came up before the SIC on 20.09.2017. The hearing was attended by Sh. Abdul Rehman Bhat, PIO, J&KSSB. The appellant did not attend despite due notice. The PIO submitted that the information sought by the applicant (now appellant) has been provided to him. The hearing was adjourned for giving an opportunity of being heard to the appellant as he was not present during the hearing.

This 2<sup>nd</sup> appeal was filed in the SIC on 17.08.2017 but with a view to hear all the parties and for appropriate final disposal of the appeal, the time period for disposal was extended by another 60 days upto a maximum of 120 days from the date of filing of the appeal in terms of section 16(11) of the J&K RTI Act, 2009.

The appeal was again listed for hearing today on 07.11.2017. The hearing was attended by Dr. Rehana Akhter Bijli, PIO, J&KSSB. The

appellant again remained absent despite due notice having been served upon him by the prescribed mode of service.

During the hearing, the PIO submitted that the information sought by the applicant (now appellant) has been furnished to him. She submitted copies of counter statement which were taken on record. On perusal of the counter statement, it transpires that initially the RTI application was responded to by the PIO on 17.02.2017 informing the appellant that selection for the post of Teacher, District Cadre Poonch under item No. 078, 02 of 2012 has not been completed. Further, the information sought by the appellant was obtained from different sections and the same was provided to the appellant vide communication dated: 19.07.2017.

**Decision:**

**The State Information Commission (SIC) has heard the PIO and perused the records. It transpires that information, as sought by the appellant, has been furnished to him by the PIO. This has been stated by the respondents during the hearing on 07.11.2017 as well as in the counter reply also. Therefore, the appeal needs no further consideration and is as such disposed of without further directions in the matter.**

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/CO/SA/489/2017\_\_\_\_\_

Dated: .11.2017

Copy to:

1. Registrar, J&KSIC for information and necessary action.

2. First Appellate Authority (FAA), J&K Services Selection Board, Jammu for information and necessary action.
3. Public Information Officer (PIO), J&K Services Selection Board, Jammu for information and necessary action.
4. Private Secretary to CIC for information of the HCIC.
5. Appellant/Mr. Shahid Raza, S/o. Syed Anwar Hussain, V.P.O. Mandi, District Poonch, J&K for information.
6. Office file.

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