



Jammu and Kashmir State Information Commission
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Old Assembly Complex, Srinagar, 0194-2506660, 2506661

www.jksic.nic.in

File No. SIC/CO/SA/517 /2017

Decision No. SIC/CO/SA/517/2017/1046

Final order
(Second Appeal)

Appellant: Advocate Imtiyaz Ahmad C/O Gents Bar Room
District Court Complex Momin Abad
Batamaloo.

Respondents: First Appellate Authority (FAA)/ Public
Information Officer (PIO) J&K Service
Selection Board (SSB)

Date of Registration : 11.10.2017

Date of Decision : 15-01-2017

Brief Facts:

From the documents filed in this Second Appeal it transpires that Advocate Imtiyaz Ahmad had submitted RTI application to the PIO of the J&K SSB through speed post on 28.6.2017 asking for information regarding candidates who got selected as Legal Assistants (District cadre) under advertisement Notification No. 02 of 2014 dated 30.12.2014 for various districts of the State their grand marks/points obtained and merit list etc . The appellant has claimed to have filed this First Appeal through speed post. The appellant has alleged that neither the Public Information Officer (PIO) nor the First Appellate Authority (FAA) has provided him any information in response to his RTI application dated 28.06.2017 and First Appeal dated 03.08.2017.

Aggrieved by the non-response of the respondents, the appellant filed 2nd Appeal before the State Information Commission with the request that the information as requested in the RTI application may be provided to him free of cost and without further delay and the appellant may be compensated for mental agony, physical suffering, economic loss, wastage of time etc, he further requested that heavy penalty may be imposed in the concerned PIO as well as FAA for failing to perform their statutory duties etc.

Proceedings before the Commission

This 2nd appeal came up for hearing first time on 11.12.2017. Respondent/ PIO, J&K SSB attended the hearing and the appellant was absent. The hearing was adjourned with the following observations/directions:

“ The PIO, J&K SSB is directed to explain the delay caused in disposing of the RTI application. In view of non-attendance of the appellant, the hearing in this 2nd appeal is accordingly adjourned to provide an opportunity to the appellant for another hearing and for obtaining his rejoinder to the counter statement of the respondents/SSB.

The Registry is directed to fix the hearing on the next available date and inform the parties accordingly.”

In view of need for more hearings for appropriate disposal the time limit for disposal was extended by another sixty days w.e.f 11.12.2017 in terms of Section 16(11) of the J&K RTI Act,2009.

Finally this 2nd appeal came up for hearing again on 15.1.2018, Shri Sanjay Gupta, PIO, J&K SSB attended the hearing. The appellant did not attend. The PIO, J&K SSB submitted written counter reply dated 12.01.2018 in terms of the interim directions dated 11.12.2017. In the counter reply, the PIO, J&K SSB has submitted that the appellant was provided information vide letter No. SSB/Secy/Appeal/92/17/954 dated

29.11.2017 and that the J&K SSB had received his First Appeal on 11.08.2017 and was even called by the FAA vide letter dated 18.8.2017 to remain present on 06.09.2017. The PIO has further submitted in the counter reply that the basic RTI application of the appellant had not been received in the Board.

Decision

This 2nd appeal is disposed of without any further directions to the respondents as the appellant neither presented himself on any day/date of hearing nor filed any rejoinder to the counter reply submitted by the respondent/PIO,J&K SSB. There is therefore nothing for the SIC to consider in this appeal.

With these observations, this 2nd appeal filed before the State Information Commission is disposed of.

The copy of Order be provided to the parties free of cost.

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

Copy to the :-

- 1. First Appellate Authority (FAA)/Secretary, J&K SSB for information.***
- 2. Public Information Officer (PIO) O/o J&K Service Selection Board, Jammu.***
- 3. Pvt.Secy. to HCIC for information of the HCIC.***
- 4. Advocate Imtiyaz Ahmad C/O Gents Bar Room District Court Complex Momin Abad Batamaloo.***
- 5. Office Order file.***

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