



Jammu and Kashmir State Information Commission
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/534/2017
Decision No. SIC/CO/SA/534/2017/1056

Final order

Appellant: Shri Shahnawaz Ahmad Sheikh
R/O Kishtwar, J&K
Respondents: First Appellate Authority(FAA)/Public
Information Officer, J&K SSB.
Date of Registration : 23.10.2017
Date of Decision : 02.02.2017

Brief Facts:

This Second Appeal has arisen out of RTI application of Shri Shahnawaz Ahmad Sheikh submitted to the Public Information Officer(PIO) of J&K SSB dated 01.05.2017 seeking following information:-

1. Request for providing the category wise Merit Position(Written, Viva, Preference) of all the Candidates (Full name, address, category, Roll No.) including the undersigned who had applied/appeared for the written examination/Viva for the State Cadre Post of Tehsil Social Welfare Officer in response to Adv.Notice No.06 of 2013 dated 10.05.2013 under item No.13 (Thirteen). Also provide the details of absenties candidates.
2. Request for providing the category wise Merit Position (Written, Viva, Preference) of all the candidates (Full name, address, category , Roll No.) who had applied/ appeared for the written examination /Viva for the State Cadre Post of Tehsil Social Welfare Officer in response to Adv. Notice No.06 of 2013 dated 10.05.13 under item No.14 (Fourteen). Also provide the details of absenties candidates.
3. Request for providing the justification that on which grounds, the same Post of TSWO was advertised under the two items i.e, 13 & 14 in same advertisement Notification.

4. Request for providing the Action Taken Report on the representations of the undersigned vide dated 10.-08-2015 & 26-11-2015 regarding clubbing the posts of both the items into one i.e, 09 Posts+ 03 Posts= 13 Posts.
5. Request for providing the Action Taken Report on the repeated representations through registered mode/email mode/telephonic requests of the undersigned soon after the declaration of result of written examination for the Post of TSWO regarding conduct of interviews of the undersigned and objections submitted by the undersigned with regard to the declaration of results of the TSWO.

The appellant has alleged that neither the PIO nor the FAA have provided him the requisite information. Accordingly, the appellant approached the State Information Commission with the 2nd appeal filed on 28.07.2017. On scrutiny of documents the 2nd appeal was found deficient and the appellant was directed vide communication dated 05.09.2017 to make up the deficiencies within 07 days. Subsequently, the appellant made the deficiencies. Notice was issued to the respondents to appear before the SIC on 22.12.1027 vide SIC's communication No. SIC/CA/SA/534/2017-4980-82 dated 24.11.2017.

Proceedings before the Commission

The 2nd Appeal came up for hearing for the first time on 22.12.2017. After hearing both the parties the 2nd appeal was adjourned with the following directions:

'The RTI application submitted to the PIO, J&K SSB is dated 01.05.2017. Provision of reply has been delayed considerably. The PIO needs to explain the delay which he must. Notwithstanding this, the PIO, J&K SSB is directed to provide the appellant balance information as requisitioned by him in his basic RTI application. The hearing of this 2nd appeal is adjourned accordingly.

Time limit for disposal is also extended under Section 16(11) of the J&K RTI Act,2009 by another 60 days w.e.f 23.12.2017 to enable more hearings and for judicious and appropriate disposal of this 2nd appeal.

The Registry is directed to fix the hearing of this 2nd appeal on the next appropriate available date.'

The case came up for final hearing on 02.02.2018. The hearing was attended by Shri Sanjay Gupta, PIO SSB but the appellant did

not attend. The PIO, J&K SSB submitted the counterstatement during the proceedings which was taken on record. The PIO, J&K SSB stated that full information has been provided to the appellant in compliance with the interim directions of the SIC dated 22.12.2017.

From the perusal of the counterstatement dated 01.02.2018, it transpires that respondent(s) have provided the applicant (now appellant) information vide their office letter No. SSB/Adm/RTI/362 / 2017/180/18 dated 29.1.2018

Decision

The State Information Commission(SIC) heard the PIO, J&K SSB. The SIC observes that the requisite information has now been provided to the appellant by the PIO vide his communication No. letter No. SSB/Adm/RTI/362 / 2017/180/18 dated 29.1.2018. During the proceedings on 02.02.2018 the PIO, J&K SSB showed the receipt of the information by the appellant in which appellant has accepted that he has received all information and is satisfied. Accordingly, the SIC finds that there is nothing left for the Commission to decide further 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) J&K Service Selection Board, Jammu for information.
2. Public Information Officer (PIO) O/o J&K Service Selection Board, Jammu for information.
3. Pvt.Secy. to CIC for information of the HCIC.
4. Shri Shahnawaz Ahmad Sheikh,R/O Kishtwar, J&K C/O Prince Studio, Mini Bus Stand Kishtwar(Cell No.9018486430)
5. Office Order file.

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