



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/J/A/209/2018

Decision No. SIC/J/A/209/2018/226

Final Order:

Appellant : Sh. Khalid Jehangir,
C/o Mashira Chicken & Egg Store, Bharat Road,
Doda.

Respondent : FAA/PIO, Education Department.

Date of Registration : 10-01-2018.

Date of decision : **23-04-2018.**

Decision : Appeal disposed of.

Facts:

In the present case the applicant Mr. Khalid Jehangir has sought information vide his RTI application dated 04-02-2017 with regard to the appointment of additional ReT Teachers appointed in Zone Gundna in February'2004. On the failure of the PIO/Chief Education Officer (CEO), Doda, the applicant filed 1st appeal before First Appellate Authority (FAA) O/O Directorate of School Education, Jammu on 26-05-2017. The FAA did not disposed of the appeal filed by the applicant, forcing the applicant to file a 2nd appeal before the State Information Commission (SIC) on 25-09-2017.

Proceedings/Decision:

The instant appeal came up for hearing before the State Information Commission (SIC) on 02-04-2018. The hearing was attended by the representative on behalf of First Appellate Authority (FAA), O/O Directorate of School Education (DSEJ), Jammu, PIO (DSEJ) and representative on behalf of CEO, Doda. However, the appellant did not appear. The hearing was adjourned with the direction to the PIO to explain, by way of filing a written statement, his failure to provide the information to the appellant within specified period. The appellant was also directed to file his rejoinder, if any and appear before the SIC on next date of hearing.

The case again came up for hearing today on 23-04-2018. The counsel for appellant submitted that he has received the information and is satisfied with the same. The PIO submitted a written statement explaining delay in providing information to the appellant. In his written statement the PIO has submitted that the appellant has filed three RTI applications under which similar information was sought in respect of Zone Gundna. The PIO further submitted that he assumed the charge of CEO, Doda on 07-06-2017. He had to seek the information from the concerned ZEOs. However, due to non-availability of permanent ZEOs, the charge of Zone Gundna are held by Principals of Hr. Sec. Schools or Head Masters of High Schools. Besides, there is no sanctioned staff in ZEO office Gundna. In view of these circumstances, the information was received late from the concerned ZEOs. The PIO also submitted that as soon as he received the information from concerned ZEOs, he provided the information to the appellant immediately.

There is no doubt that the information has not been provided to the appellant within the period specified in section 7(1) of RTI Act. The fact of the matter is however, that the information has been provided to the appellant and the appellant is satisfied with the information so provided. Keeping in view, the problem of staff shortage in the concerned Zonal Education Offices and also the topography of Doda Region, where means of communication are not as quick as it could be in other areas of the State, the explanation submitted by the PIO is accepted. However, the PIO is

warned to remain cautious in future and attend to the RTI requests as expeditiously as possible but in any case within the period specified in sub-section (1) of section 7 of the Act.

With the above observations the appeal is disposed of.

-sd-

(Mohammad Ashraf Mir),
State Information Commissioner,
J&K State Information Commission.
/imi/

No. SIC/J/A/209/2018

Dated: / /2018.

Copy to the:

- 1 First Appellate Authority (FAA) Joint Director (SSA) Directorate of School Education. Jammu for information.
- 2 Public Information Officer (PIO), Chief Education Officer, Doda for information.
- 3 Public Information Officer (PIO), Zonal Education Officer, Gundana for information.
- 4 PS to SIC for information of HSIC.
- 5 Sh. Khalid Jahangir, C/o Mashira Chicken & Egg Store, Bharat Road, Doda.
- 6 Guard file.

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