



**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](http://www.jksic.nic.in)

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File No. SIC/J/A/210/2018

Decision No. SIC/J/A/210/2018/228

**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 Batiyas in February'2004. On the failure of the PIO/Chief Education Officer (CEO), Doda, the applicant filed 1<sup>st</sup> appeal before First Appellate Authority (FAA) O/O Directorate of School Education, Jammu. The FAA disposed of the appeal vide its order dated 07-07-2017 directing the PIO/CEO, Doda to provide desired information to the applicant free of cost within a week's time. In the said order, the FAA, has made a mention that inspite of notice issued to CEO,

Doda, he did not appear before the FAA in connection with the hearing of the 1<sup>st</sup> appeal. When the information was not provided to the applicant inspite of the directions from the FAA, the applicant filed 2<sup>nd</sup> appeal before the State Information Commission 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 Batiyas, Zone Bhalessa

and 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 and Zone Batiyas were held by Principals of Hr. Sec. School or Head Masters of High Schools. Besides, there is no sanctioned staff in ZEO office Gundna and Batiyas. 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/210/2018

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, Bhatiyas 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.