



Jammu and Kashmir State Information Commission

جموں اینڈ کشمیر اسٹیٹ انفارمیشن کمیشن

(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/K/SA/08/2018

Decision No. SIC/K/SA/08/2018/15

Final Order
(2nd Appeal)

- Appellant : Sh. Mohammad Latif Bhat.
- Respondents : First Appellate Authority (FAA)/
Public Information Officer (PIO),
Directorate of School Education,
Kashmir, Srinagar.
- Date of Registration : 12.01.2018.
- Date of Decision : 08.05.2018.

Proceedings on 08.05.2018:

This second appeal came up for hearing today on 08.05.2018 at Srinagar. Sh. Z.A. Bandy, PIO, Directorate of School Education, Kashmir was present, whereas, the appellant was absent. The State Information Commission (SIC) vide its Interim Order dated: 20.03.2018 had issued the following directions:

"In view of the submissions of both the parties and perusal of records, Public Information Officer (PIO), O/O Director School Education, Kashmir, notwithstanding the reply sent by him vide his No.

DSEK/RTI/F-55N/10036 dated: 02.12.2017, is directed to provide full/parawise information to the appellant (the then RTI applicant) in terms of his application and the provisions of the J&K RTI Act, 2009 within 15 days from the date of receipt of this order and file compliance before the Commission.”

During the hearing today on 08.05.2018, the PIO, Directorate of School Education, Kashmir informed that subsequent to the orders of the Commission issued on 20.03.2018, Chief Education Officer, Budgam vide his No. CEOB/IMW/RTI-1053/2018/398 dated: 07.04.2018 had sent a factual report to the Director, School Education Kashmir with a copy to the appellant for information, which covers most of the points in the RTI application. The Chief Education Officer, Budgam has also informed vide his No. dated: 18.04.2018 that the '*allegations against Sh. Bashir Ahmad Dar (I/C Lecturer) Political Science and Sh. Gh Mohi-uddin Malik Master HSS Parnewa has been perused well. The allegations were considered null and void and they were shorn of any substantial ground that would tantamount to immediate suspension of the alleged officials.*'

Decision/Directions:

After due consideration of the material on the file and the letter from the Chief Education Officer, Budgam submitted today on 08.05.2018 by the PIO, Directorate of School Education, Kashmir, it transpires that most of the information sought has been provided to the appellant. However, the PIO has not submitted anything to show that the order issued on 20.03.2018 has been complied by him. The PIO cannot pass on the responsibility of providing

information to the RTI applicant to any other person as he is duty bound under the J&K RTI Act to deal with the RTI application himself (section 7). It is, therefore, directed that based on the letter from the Chief Education Officer, Budgam dated: 07.04.2018 and his another letter dated: 18.04.2018, the PIO will formulate a proper reply to the RTI application of the appellant (the then applicant) and provide information that has not been provided so far to him within a period of 30 days from the date of receipt of this order.

With these directions the appeal is disposed of.

Copy of this decision be given free of cost to the parties.

Sd/-

(Khurshid A. Ganai)

Chief Information Commissioner

(P.A. Ajay)

No: SIC/K/SA/08/2018_____

Dated:

Copy to:

1. First Appellate Authority, Directorate of School Education, Kashmir for information.
2. Public Information Officer, Directorate of School Education, Kashmir for information and necessary action.
3. Private Secretary to CIC for information of the HCIC.
4. Appellant/Sh. Mohammad Latif Bhat, S/o. Recka Chowk, Bazar-e-Batamaloo, Srinagar Kashmir (J&K)-190010 for information.
5. Office file.

(Sheikh Fayaz Ahmed)

Registrar

J&K State Information Commission