



**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/90/2018

Decision No. SIC/J/A/90/2018/317

**Final Order**

(Second Appeal)

- Appellant : Sh. Safdar Ali.
- Respondents : First Appellate Authority (FAA),  
O/O Director, School Education, Jammu  
and Public Information Officer (PIO)/  
Chief Education Officer (CEO), Doda.
- Date of Registration : 20.07.2018.
- Date of Decision : 26.09.2018.

**Brief Facts:**

The present appeal has been filed by the appellant Sh. Safdar Ali on 07.07.2018 (admitted on 20.07.2018), submitting thereunder that he had filed an RTI application with CEO, Doda on 17.03.2018, but no reply was given by the PIO within the stipulated period. He thereafter filed First Appeal on 21.04.2018, which too was not disposed of by the FAA. Hence, he was compelled to file the present second appeal praying thereunder that the information sought by him may be provided by the PIO.

**Proceedings:**

The appeal came up for hearing before this Commission today on 26.09.2018. The appellant was present in person. The respondents were

represented by Sh. Khursheed Ahmed, ZEO Doda and Sh. Amit Gupta, Senior Assistant, (on behalf of FAA).

Through his RTI request, the appellant had sought information regarding the appointment of one Sh. Ishrat Ali, S/o. Barkat Ali Mattu against the post of Class IV. Through point Nos. 2, 3 and 4 of his RTI request, the appellant has sought information whether no candidate having passed qualifying examinations from the J&K Board of School Education or Central Board was available for the appointment and whether the institute from which the appointed candidate has acquired qualification was recognized and also the order of recognition issued by the Central Government.

**Decision:**

**The information sought by the appellant in point Nos. 2, 3 and 4 of his RTI request cannot be termed as information as per section 2 (d) of the J&K RTI Act, 2009 as these are hypothetical questions and the PIO is under no obligation to reply. The PIO has furnished information relating to appointment of Sh. Ishrat Ali and has provided documents like his appointment order, relevant pages of his Service Book and all the certificates furnished by the said candidate at the time of his appointment. This information is more than what was asked for by the appellant through point No. 1 of his RTI request. Since the information sought by the appellant has been provided to him, the appeal is disposed of without any further orders or directions.**

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

**Sd/-**  
**(Mohammad Ashraf Mir)**  
State Information Commissioner

No: SIC/J/A/90/2018\_\_\_\_\_

Dated:

Copy to:

1. FAA, O/O Director, School Education, Jammu for information.

2. PIO/Chief Education Officer, Doda for information.
3. Private Secretary to SIC for information of the HSIC.
4. Appellant/Sh. Safder Ali, S/o. Mohd. Shafi Mir, R/o. Soti Dudwar, Tehsil Bhalessa, District Doda, Pin Code: 182203 for information.
5. Office file.

(Zaheer Abbas)  
Assistant Registrar  
J&K State Information Commission