



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. 0194-2484269, 2484262
www.jksic.nic.in

File No. SIC-K/SA/37/2013

Decision No. SIC-K/Comp/37/2013/12

Title: Dr. Ishrat Ahmad Lone **v/s** CEO Anantnag
r/ o Bragam, Doru Anantnag **(Respondent)**
(Appellant)

Present: 1. Shri G.R. Shah, CEO Anantnag.

Srinagar
21.01.2014

This is a Second Appeal filed before the Commission on 31.10.2013 by Dr. Ishrat Ahmad Lone r/ o Bragam, Tehsil Doru Anantnag against PIO/Chief Education Officer (CEO) Anantnag on the grounds that he applied to CEO Anantnag to seek information under J&K RTI Act, 2009 but despite visiting the CEOs office several times information was not provided to him within stipulated time. The appellant further submitted that he filed First Appellate before FAA (Directorate of School Education

Kashmir) dated August 19, 2013 but till the date of filing of Second Appeal he has not been provided the required information. He has accordingly prayed the Commission to investigate the matter so that he gets the required information.

As per RTI application dated 22.06.2013, the appellant has sought following information: -

- i) "Government order/circular/notification citing the reasons for selection of ReT (Science slot) in newly upgraded Govt. Middle School Batapora Bragam Zone Dooru even though the candidate figuring at serial number 3 is having highest merit in M.Sc Agriculture (Post graduation).
- ii) Government order/circular/notification defending the final selection of a candidate as ReT in a panel prepared by ZEO Dooru for the above mentioned school, despite the fact, that the said panel was not signed by any EC member/Sarpanch. Annexure A.
- iii) Equivalence of KHUSOOSI from Nadvatul-Ulama Lucknow to 10 + 2 of J&K Board

During proceedings in the Commission on 18.12.2013, it came to the fore that the RTI application has been disposed of by CEO Anantnag on 22.11.2013 enclosing the information as sought by the information seeker. During the proceedings however, the appellant contested and submitted that all the RTI queries have not been fully responded to. Accordingly CEO

Anantnag (PIO) was directed by the Commission to given response to following issues within two weeks: -

1. Norms/procedures followed by the Department in engaging/short listing of candidates at the time of preparation of list/short listing of candidates by the ZEO for engagement as ReTs in reference to CEO Anantnag's No. CEO/A/SSA/12/17114-16/12 dated 13.08.2012.
2. Copy of correspondence of CEO and DSEK letter No. DSEK/Legal/1372-Misc/5085 dated 20.05.2013 based on which communication dated 18.07.2013 has reportedly been issued by School Education Department.
3. It is also observed that response to query 3 was not relevant. CEO besides responding to specific query shall also explain as to why irrelevant information was provided.

The period of deciding the appeal was simultaneously extended by 30 days w.e.f. 31.12.2013

In compliance, PIO/CEO Anantnag has given clarification to above queries vide letter dated 04.01.2014 to the information seeker along with enclosures.

In response to query (1) above, process for selection has been explained by the PIO/CEO Anantnag, enclosing the advertisement notice for engagement of ReT teachers for newly upgraded P/S Batapora, Bragam as appeared in daily Kashmir

Uzma Srinagar wherein name of revenue village with prescribed qualification and number of ReTs to be engaged has clearly been stated. Also he has referred to Government Order No. 288-Edu of 2009 dated 08.04.2009 in this regard. Further, the case of the information seeker has been explained and the merit list enclosed as annexure C.

In reference to query (2), CEO has enclosed copy of letter dated 20.06.2013 to the address of DSEK seeking eligibility of candidates for ReT in Science streams in respect of 2 candidates which includes the information seeker alongwith his qualifications. Regarding letter of DSEK dated 20.05.2013, CEO has stated that it is not available in his office.

In respect of query (3) CEO has explained as to why 'Khusoosi' has been accepted by the University of Kashmir.

CEO submitted that the response/reply dated 04.01.2014 alongwith enclosures have been sent to the information seeker through Registered Post on 06.01.2014 and evidence in this regard was produced in the Commission. Notice dated 08.01.2014 for appearance was also sent to the information

seeker, but he did not appear before the Commission till conclusion of proceeding.

Upon perusal of records and reply given by the CEO dated 04.01.2014 it is held that all the queries have been responded to by the CEO. However he shall provide copy of Government Order No. 288-Edu of 2009 dated 08.04.2009 as stated in response to query 1 to the information seeker within one week from issue of this order. In so far as query (3) of the RTI application is concerned, it basically pertains to Board of School Education.

With above directions, the appeal filed before the Commission is disposed of.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the:-

1. First Appellate Authority/Directorate of School Education Kashmir.
2. Chief Education Officer, Anantnag.
3. Dr. Ishrat Ahmad Lone R/o Bragam, Dooru Anantnag.

(M.S. Bhat)
Deputy Registrar,
J&K State Information Commission