



**Jammu and Kashmir State Information Commission**

(Constituted under Right to Information Act 2009)

Old Assembly Complex, Srinagar, Fax No. 0194-2484269, 2484262  
Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937  
www.jksic.nic.in

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File No: SIC/J/A/301/2013  
Decision SIC/J/A/301/2013/30

Sh. Naresh Kumar	Appellant	Absent
Sh. Rajinder Singh Chief Education Officer, Kishtwar.	PIO	Present
Zonal Education Officer, Kishtwar.		Absent
Head Master, Higher Secondary School, Keshwan.		Absent

**Jammu  
04-02-2014**

Briefly the facts in this appeal are that Sh. Naresh Kumar S/o Sh. Mohan Lal Sharma, Village Keshwan, Tehsil & District Kishtwar moved an application dated 17-09-2013 under J&K Right to Information Act, 2009 before the PIO / Chief Education Officer, Kishtwar whereunder he sought the following information:-

- 1. Provide the information regarding latest details of funds under all heads received by Govt. High School, Keshwan, Zone Kishtwar for the period w.e.f 2006 to till date showing investments and balance component-wise.*
- 2. Provide the information regarding expenditure detail Head wise incurred in Govt. H.S. Keshwan, Zone Kishtwar along with Bills,*

*Vouchers, Challans and Labour payments made (mode of payment) w.e.f. 2006 to till date.*

- 3. Certified copy of M.Bs, Civil Work Safety Certificate and Completion Certificate duly attested by Junior Engineer concerned for construction of structures in Zone Kishtwar w.e.f. 2010 to till date.*

The PIO/CEO, Kishtwar transferred the application of the information seeker to ZEO, Kishtwar vide office letter no. CEO/K/RTI/13/8330-33 dated 17-09-2013 for providing the information to the appellant within the statutory period. The PIO / CEO, Kishtwar filed a counter statement vide office letter no. CEO/K/RTI/14/13838-40 dated 30-01-2014 in which he has submitted that the applicant was served written notice twice i.e. 23-09-2013 & 01-10-2013 requesting him to collect the information from the office of the ZEO, Kishtwar. However, he collected the said information on 06-12-2013 from the office of the ZEO, Kishtwar. The PIO / CEO, Kishtwar also submitted acknowledgement receipt duly signed by the appellant for the perusal of the Commission. The perusal of the counter statement and the record shows that the information sought by the information seeker has been furnished to him and he has also given the undertaking that complete information sought under RTI Act, 2009 was handed over to him and no information is pending.

It is apparent from the aforesaid facts that information sought by the information seeker in his RTI application stands furnished to him and his 2<sup>nd</sup> appeal is not based on merit and hence dismissed.

Registry is directed to issue show cause notice to ZEO, Kishtwar why fine may not be imposed upon him under Section 15 of the J&K RTI Act, 2009 read with Section 32 of Code of Civil Procedure, 1977 (Samvat) for his failure to cause his appearance before the Commission on the dates of hearing i.e. 09-01-2014 & 04-02-2014 despite proper intimation from the office of the Commission. The ZEO, Kishtwar is directed to send his explanation to the Commission within 15 days from the date of receipt of this order.

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

**Sd/-**  
**Dr. S.K. Sharma**  
State Information Commissioner

Copy to the:-

1. Public Information Officer/ Sh. Rajinder Singh, Chief Education Officer, Kishtwar.
2. Zonal Education Officer, Kishtwar.
3. Head Master, Higher Secondary School, Keshwan.
4. Sh. Naresh Kumar S/o Sh. Mohan Lal Sharma, Village Keshwan, Tehsil & District Kishtwar.

(Khalid. A. Shah)  
Dy. Registrar  
State Information Commission