



		<i>Unit</i>	

*The information seeker submitted in his RTI application that the information is required for the purpose of transfer of RET regularized female teachers who have married with Defence/Home personnel like Navy, Air Force, Army, Defence Fire Services, Griff, BSF, SSB, CRPF, ITBP, NSG etc. so as to peruse the case with Head Quarter Northern Command desired by them vide their letter No:23500/Gen/A2W/ 27<sup>th</sup> Jan 2012.*

The aforesaid application was responded by PIO, Directorate of School Education, Kashmir vide office letter no. DSEK/OSD/IMW/RTI/F-256/1064 dated 02-11-2012 and the information relating to Districts Pulwama, Leh, Shopian, Anantnag, Ganderbal, Srinagar, Kargil, Baramulla, Budgam, Kupwara & Bandipora was furnished to the information seeker. The PIO, Directorate of School Education, Kashmir had earlier also responded and furnished the information to the information seeker vide office letters no. DSEK/OSD/IMW/RTI/F-256/9013-14 dated 07-09-2012, DSEK/OSD/IMW/RTI/F-256/9118-19 dated 13-09-2012, DSEK/OSD/IMW/RTI/F-256/10041-42 dated 17-09-2012. However, the PIO /Joint Director School Education, Jammu vide office letter no. DSEJ/RTI/2012/4038-4046 dated 29-11-2012 informed the information seeker that information sought was not available in this Directorate and as such the application was transferred to all the CEO's / PIO's of Jammu Province U/S 6(3) of the J&K RTI Act under an intimation to you vide letter no. DSEJ/RET/2012/2920-33 dated 13-08-2012. In response to this, CEO's of District Jammu and Udhampur intimated vide letter No's CEOJ/RTI/2012/14600-601 dated 24-08-2012 and CEOU/RTI/2012/12234-35 dated 12-09-2012 with a copy of information to the information seeker that the information sought by the applicant cannot be provided U/S 8(1)(a) of J&K RTI Act, 2009 as it is directly related to the security of the country and may lead to incitement of an offence and accordingly, the applicant was also intimated vide office letter no. DSEJ/RTI/2012/3803-06 dated 02-11-2012.

The PIO, Directorate of School Education, Jammu has taken a stand that the information sought by the information seeker cannot be provided to him as it is

exempted from disclosure U/s 8(1)(a) of the J&K RTI Act, 2009 because it is directly related to the security of the country and may lead to incitement of an offence. Such an approach on the part of the PIO denying the information to the information seeker is not based on facts, if PIO, Directorate of School Education, Kashmir Division can furnish the similar information to the information seeker, one fails to understand how such information which pertains to Jammu province can be denied to the information seeker on the ground that it is related to the security of the country and may lead to incitement of an offence. However, while providing information the PIO should not disclose the personal number and unit of the husband of the teacher concerned. The disclosure of such information may endanger the life and physical safety of the person regarding whom the information is sought and is exempted in view of Section 8(1)(f) of the RTI Act, 2009.

In view of the aforesaid facts, the PIO / Chief Education Officer, Directorate of School Education, Jammu is hereby directed to furnish the requisite information to the information seeker after collecting the same from PIO's concerned districts within three weeks from the date of pronouncement of this order under an intimation to the Commission.

The appeal is accordingly disposed of.

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

**Sd/-**

Dr. S.K. Sharma  
State Information Commissioner

Copy to the:

1. First Appellate Authority/ Director School Education, Jammu.
2. Public Information Officer / Sh. Ajeet Kumar Sharma, Chief Education Officer, Directorate of School Education, Jammu.
3. President Ex-Servicemen, Kalyankari Sangathan (Regd), Ward no. 6 H.No. 184 Dhar Road, Udhampur.
4. Guard File.

Jang Bhadur  
Joint Registrar  
State Information Commission