



**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

\*\*\*\*\*

File No: SIC-J-A-71-2013  
Decision No. SIC-J-A-71-2013/117

Sh. Dharam Paul Sharma	..... Appellant	Present
Sh. Saif Ali Choudhary	.....PIO	Absent
Chief Education Officer, Rajouri.		

**Jammu**  
**09-05-2013**

Briefly the facts in this appeal are that Sh. Dharam Paul Sharma Retd. ZEO, Manjakote R/o W.No. 11/6 Hiranagar Distt. Kathua moved an application dated 18-12-2012 under J&K RTI Act, 2009 before the PIO / Chief Education Officer, Rajouri seeking information about his pay fixation in regularized pay of ZEO and details of drawal amounting to Rs. 54986/- by ZEO, Manjakote in regularized pay of ZEO. The PIO failed to provide the information within the stipulated period.

The information seeker feeling aggrieved of inaction on the part of PIO preferred appeal dated 11-02-2013 before the 1<sup>st</sup> Appellate Authority / Director School Education, Jammu. The FAA directed the PIO to provide the information to the information seeker within a week's time.

During the course of proceedings held today, the information seeker apprised the Commission that no information till date has been furnished to him

by the PIO despite the fact that the order of the FAA has been duly served upon the CEO / PIO, Rajouri vide office notice no. DSEJ/RTI/266-68 dated 22-04-2013.

Keeping in view the aforesaid facts, the Commission is of the considered opinion that the PIO has denied the information to the information seeker without any reason and failed to discharge his statutory duty. Moreover, the PIO has also failed to cause his appearance before the Commission despite the fact that a proper notice was served upon him and he was also contacted telephonically by the office of the Commission and informed about the date of hearing. The registry is directed to seek explanation of the PIO that why fine should not be imposed upon him U/s 15 of the J&K RTI Act, 2009 read with the provisions of Code of Civil Procedure, 1977 (Samvat) for his failure to appear before the Commission on the date of hearing.

The PIO is hereby directed to furnish the requisite information to the information seeker free of cost within two weeks from the date of receipt of this order under an intimation to the Commission. Non compliance of this order will entail imposition of penalty as permissible U/s 17 of the J&K RTI Act, 2009.

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 / Chief Education Officer, Rajouri.
3. Sh. Dharam Paul Sharma Retd. ZEO, ManjaKote R/o W.No. 11/6 Hiranagar Distt. Kathua.
4. Guard File.

Jang Bhadur  
Joint Registrar  
State Information Commission