



Jammu and Kashmir State Information Commission
(Constituted under Right to Information Act 2009)
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File No: SIC-J-A-125/2013
Decision No: SIC-J-A-125/2013/197

Sh. Mohmmad Ayub Choudhary Appellant Present

Sh.Mohd. Rashid PIO Heard through video conferencing
Dy. Superintendent of Police,
Hqrs. Poonch.

Jammu
17-07-2013

Briefly the facts in this appeal are that Sh. Mohmmad Ayub Choudhary S/o Sh. Roshan Din R/o Vill. Nadian, P.O Rakhibon, Tehsil Darhal District Rajouri moved an application on 30-01-2013 before the PIO O/o Inspector General of Police, Jammu Zone, Panjtirthi, Jammu seeking the following information:-

- i. About total number of SPOs recruited during the period since last 20 years till date in District Rajouri and in District Poonch (District wise).
- ii. About total number of SPOs recruited directly and number of SPOs recruited as per advertisement in District wise (Rajouri/Poonch) during above period.

- iii. About provide the details of SPOs with qualification and criteria adopted for their recruitment District wise.
- iv. About number of SPOs recruited under SC/ST/ other categories (District wise-Rajouri/Poonch)
- v. About number of SPOs who have been confirmed and designated as constables and criteria adopted while confirming the SPOs, with their qualification Districtwise (above)
- vi. About if the confirmation of SPOs has been within the purview of J&K Police Act & Rules, and if any other Govt. Rule and norms have been adopted. Provide details thereof.
- vii. About number of SPOs whose names are proposed for confirmation and number of SPOs pending. Provide details of such SPOs (District wise-Rajouri/Poonch)
- viii. About number of SPOs whose service have been terminated in District Rajouri and in district Poonch separately.
Provide the details, name, qualification, with place of residence and reasoning of their termination.
About detail of Authorized police Officers who were empowered to terminate the services of SPOs
- ix. About detail of those SPOs, who are under-matric, Matriculate, Middle pass, having completed the services as SPO for 15 years, having merit for confirmation, but have not been confirmed as SPOs. Provide Reasoning as to under which circumstances such SPOs have not been confirmed.

- x. Provide detail of those SPOs, whose services have been confirmed having qualification as Middle, service Length below 10 years and below 15 years or those having 2 years and 5 years and have not participated in anti-militancy activity/have participated in militancy activities criteria adopted. Issue complete detail of such SPOs with their name, qualification, criteria adopted, year of joining as SPO, year of confirmation of services as SPOs merits on which the confirmation has been granted to such SPOs.
- xi. About what is the policy of J&K Police Department for recruitment of SPOs, in District Poonch.

And present Police, rules, norms criteria, procedures of the J&K Police Department for confirmation of the services of SPOs and designating them as constables.

The PIO/Dy. Superintendent of Police, Hqrs Poonch filed counter statement vide office letter No:Hqrs/Rdr/RTI/2013/12533-34/GB dated 02-07-2013 in which he submitted that information was denied on the ground that disclosure of information would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interest of state or lead to incitement of an offence and accordingly the information seeker was informed vide office letter No: Hqrs/Rdr/RTI/2013/2245-47/GB dated 7-02-2013. The information seeker also filed an appeal before FAA i.e Addl. Superintendent of Police, Poonch and the same was rejected vide NO:ASP/Rdr/RTI-1/2013/103/ASP dated 22-05-2013.

During the course of proceedings , PIO requested the Commission that the information seeker may be directed to either personally visit his office for clarifying his point of view or he may seek fresh information giving clear details. Keeping in view the request of the PIO and facts and circumstances of the matter in hand, the information seeker is advised to personally visit the office of PIO and clarify his point of view on certain queries raised by him in his RTI application. The PIO is also directed to furnish information to the information seeker as available in office record which is not personal information relating to SPOs recruited in District Poonch/Rajouri within 3 weeks from the date of pronouncement of this order under an intimation to the Commission. The information disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes should not be shared with the information seeker.

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 :

1. First Appellate Authority / Addl. Superintendent of Police, Poonch.
2. Public Information Officer / Dy. Superintendent of Police, Hqrs. Poonch.
3. Sh. Mohmmad Ayub Choudhary S/o Sh. Roshan Din R/o Vill. Nadian, P.O Rakhion, Tehsil Darhal District Rajouri

(Khalid A. Shah)

Dy. Registrar,
J&K State Information Commissioner