



**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/C/38/ 2013

Decision No: SIC/J/C/382013/241

Zulfqar Ahmed  
Through Sh. Kovid Khosla  
Advocate

Complainant Present  
Present

Sh. Mohd Ashraf  
Chief Education Officer,  
Poonch.

PIO Present

**Jammu.  
20-08-2013**

Briefly the facts in this complaint are that the applicant Sh. Zulfqar Ahmed S/o Sh. Lal Hussain R/o C/o Mohd. Saleem S/o Mehram Din, Teli Basti, Bari Brahmana Tehsil and District Samba moved an application dated 26-12-2012 under the J&K RTI Act, 2009 before the PIO office of the Director, Directorate of School Education, Jammu seeking the following information:-

- 1. In the month of Feb. 2011 pursuant to direction of Hon'ble High Court of J&K, Jammu one Zakir Hussain S/o Sh. Faiz Hussain R/o Fazlabad, Tehsil Surankote, District Poonch was allowed to join the Education Department as Class-IV employee who is presently serving at Govt. High School Fazlabad Tehsil Surankote District Poonch. Kindly provide the relevant record/photocopies of below mentioned documents:-*
  - a. Copy of Hon'ble High Court directions regarding the service of Zakir Hussain.*

- b. Copy of the appointment order containing conditions requisites for joining the service of Zakir Hussain.*
- c. Copies of qualification certificates and character certificate submitted by Zakir Huddain at the time of joining the service.*
- d. Copy of Affidavit submitted by Zakir Hussain regarding the information of criminal cases pending against him in Police Station Surankote and various other Police Stations.*
- e. Copy of other documents submitted by Zakir Hussain while joining above mentioned service.*

The applicant had earlier also approached the PIO office of Director, Directorate of School, Jammu vide his RTI application dated 28-09-2012 which was endorsed to the Chief Education Officer, Poonch. Consequently, the Headmaster Govt. Hr. Secondary School Fazlabad provided the information in the shape of misprinted and defective documents which were not legible. The information seeker vide his application dated 26-12-2012 thus sought intervention of Director School Education, Jammu so that the effective information could be conveyed to him in the interest of justice. The RTI application dated 26-12-2012 was also endorsed by PIO/Jt. Director, Directorate of School Education Jammu vide office letter NO:DSEJ/RTI/2012/4568-74 dated 31-12-2012 to CEO Poonch with a direction to provide the requisite information to the applicant within the stipulated period. The Chief Education Officer, Poonch denied the receipt of any such RTI application in his office and apprised the Commission that as per the information provided by Headmaster High School Fazlabad, the information was furnished to the information seeker and they believed in good faith that RTI application of the information seeker had been disposed of and had no malafide intention to deny the information to the information seeker.

Perusal of the documents relating to information provided to the information seeker clearly show that the information is incomplete in many respects and also not legible and the PIO was also directed to peruse these documents and after going through the same, he agreed to furnish the revised information in the form of certified copies to the information seeker within 10 days from the receipt of this order. Keeping in view the aforesaid facts and

undertaking given by the CEO Poonch/PIO, it is hereby ordered that the revised set of information as requested by the information seeker be provided to him within 10 days from the date of receipt of this order under an intimation to the Commission. The information may be furnished to the information seeker at his residential address given in the RTI application under a registered cover. The PIO is also directed to remain careful and act with circumspection while disposing of RTI applications which must be done on priority basis and within the statutory period as mandated under the J&K RTI Act, 2009.

The complaint 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 :

4. First Appellate Authority / Director, School Education Jammu.
5. Public Information Officer / Chief Education Officer, Poonch.
6. Sh. Zulfqar Ahmed S/o Sh. Lal Hussain R/o C/o Mohd. Saleem S/o Mehram Din, Teli Basti, Bari Brahmana Tehsil and District Samba.

(Khalid. A. Shah)  
Dy. Registrar  
J&K State Information Commission