



J&K State Information Commission

(Constituted under Right to Information Act 2009)

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Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937

www.jksic.nic.in

File No: SIC/J/A/219/2013

Decision No: SIC/J/A/219/2013/288

Sh. Surjeet Singh Heer	Appellant	Absent
Sh. Vivek Slathia Deputy Registrar (B&F) University of Jammu.	PIO	Present

Jammu
24-09-2013

Briefly the facts in this appeal are that Sh. Surjeet Singh Heer, Head Assistant, Directorate of Sports & Physical Education, University of Jammu, moved an application dated 12-05-2013 under J&K RTI Act, 2009 before the PIO, University of Jammu for seeking the following information:-

"Reservation quota for promotion in case of Scheduled Castes is 8% as per the SRO-144 read with SRO-294 and vacancies at points 3, 15, 27, 39, 51, 63, 75 & 89 of the Roster stand reserved for Scheduled Castes. It also needs to be amplified that the roster has to be maintained a running account. Kindly intimate the names of the Section Officers promoted out of the reserved quota and absorbed on the said points. Kindly also supply copies of their promotion orders".

The PIO vide office letter no. PIO/JU/13/7119 dated 31-05-2013 provided the requisite information to the information seeker which is as under:-

"That the total sanctioned strength of Section Officer is 46 and as per J&K Reservation Rules 8% posts reserved for SC category.

The 8% of 46 is 3.68 i.e. 04 posts goes to SC category. All the four posts of Section Officer have been filled by SC candidates as per quota. Photocopies of promotion orders are enclosed"

However, the information seeker was not satisfied with the information provided to him as it did not contain the names of officers who have been promoted out of reserved quota for Scheduled Castes against the above referred roster points and preferred 1st appeal dated 07-06-2013. The PIO apprised the Commission that the 1st appeal was disposed of vide order no. 1st AA/13/104-106 dated 18-09-2013 and a copy of the same has already been served upon the information seeker alongwith a copy of information containing additional information..

In the aforesaid order of the FAA, the Asstt. Registrar, Administration (NTW) was directed to provide the names of four Section Officers alongwith their roster points promoted under SC category to the appellant within a period of three days from the date of receipt of the order under an intimation to the office of the PIO and FAA. Vide office order no. Estab/2013/10180 dated 19-09-2013 the Asstt. Registrar (Estab-NTW) in compliance with the order passed by the FAA had provided the requisite information to the information seeker. Thus, the information as requested by the information seeker in his RTI application stands furnished to him and as such no further direction in the matter is required.

However, it would be pertinent to mention here that the FAA being a quasi-judicial authority is under statutory obligation to adjudicate and dispose of appeals filed before it within 30 days or extended period of 15 days for reasons to be recorded in writing. However, in this case prima-facie it appears that the FAA took more than three months to dispose of the appeal which is contrary to the mandate of J&K RTI Act, 2009 and amounts to denial and infringement of the precious right of the information seeker. The FAA is hereby directed to remain careful in future and act with circumspection while discharging its statutory obligations under the RTI Act which must always be within the time frame as mandated under the Act.

Registry is directed to endorse a copy of order to the FAA/Registrar, University of Jammu for information.

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. Public Information Officer / Sh. Vivek Slathia, Deputy Registrar University of Jammu.
- 2 Sh. Surjeet Singh Heer, Head Assistant, Directorate of Sports & Physical Education, University of Jammu.

(Khalid. A. Shah)

Dy. Registrar

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