



J&K 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/222/2013
Decision No: SIC/J/A/222/2013/321

Sh. Jagdev Singh	Appellant	Absent
------------------	-----------	--------

Sh. Saif Ali Chouhan Jt. Director, Directorate of School Education, Jammu.	PIO	Absent
---	-----	--------

Jammu
18-10-2013

Briefly the facts in this appeal are that Sh. Jagdev Singh S/o Late Sh. Lachman Singh R/o House No. 45-Extension, Behind New Shakti High School, Janipur Colony Jammu moved an application dated 23-03-2013 under J&K RTI Act, 2009 before the PIO O/o Director, Jammu Division, J&K School Education, Muthi, Jammu seeking certain information .

Feeling aggrieved of inaction on the part of the PIO, the appellant filed appeal dated 6-05-2013 before the FAA o/o Director, School Education Jammu which was not adjudicated and disposed of within the statutory period. However, the counter reply filed by the Jt. Director, Directorate of School Education, Jammu vide office No:DSEJ/RTI/2013/6727-31 dated 30-09-2013 shows that FAA also directed the concerned section to provide the requisite information to the information seeker within the stipulated time and after a long period the concerned section provided the partial information i.e for two points (I&II) on 28-

09-2013. The PIO further submitted in his counter statement that due to the partial information received from the concerned section, the requisite case file was transferred to PIO School Education Department, Civil Secretariat Srinagar vide No:DSEJ/RTI/2013/6714-16 dated 28-09-2013 with a request to provide the requisite information within the stipulated time to the information seeker.

Perusal of the counter statement shows that the information relating to queries No. III, IV, V and X still remains to be provided to the information seeker. The plea taken by the office of Director, School Education Jammu is that as soon as the information will be received from the concerned CEOs / PIOs of Jammu province it shall be provided to the information seeker.

In view of the aforesaid factual statements and observations, the PIO/ Jt. Director, Directorate of School Education, Jammu is hereby directed to ensure that the information as sought by the information seeker is made available to him within three weeks from the date of receipt of this order under an intimation to the Commission. If in case, the information sought by the information seeker is voluminous in nature and may disproportionately divert the resources of the public authority, the PIO is hereby directed to provide an opportunity to the information seeker to inspect the record in his office on any working day and provide photocopies of the relevant documents if any required by the information seeker. The parties can mutually settle date and time for inspection of record which may be convenient to both of them. The PIO is directed to file compliance report to the Commission.

The matter was listed for hearing on 01-10-2013 and 18-10-2013. On both the occasions the PIO/Jt. Director, Directorate of School Education, Jammu failed to cause his appearance before the Commission without any reasonable cause. He is hereby directed to show cause why fine under Section 15 of the RTI Act, read with Section 32 of the Code of Civil Procedure Samvat, 1977 shall not be imposed upon him for his failure to cause his appearance before the Commission despite proper notice and telephonic intimation from the office of the Commission about

the date of hearing within two weeks from the date of receipt of this order failing which the Commission shall proceed ex parte in the matter..

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 / Director School Education, Jammu.
2. Public Information Officer / Jt. Director, Directorate of School Education, Jammu.
3. Sh. Jagdev Singh S/o Late Sh. Lachman Singh R/o House No. 45-Extension, Behind New Shakti High School, Janipur Colony Jammu

(Satish Thaploo)
Asstt. Registrar
State Information Commission