



**Jammu and Kashmir 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](http://www.jksic.nic.in)

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**File No:** SIC-J-A-260 /2013

**Decision No:** SIC-J-A-260/2013/353

Sh.Mohammad Muzafar	Appellant	Absent
Sh.Jugal Kishore Anand Secretary, Jammu Development Authority, Jammu.	PIO	Present

**Jammu  
11-11-2013**

Briefly the facts in this appeal are that Sh. Mohammad Muzafar R/o House No. 116, Lane II, Firdous Colony Buchpora, Srinagar Kashmir moved an application dated 15-07-2013 before the PIO, Jammu Development Authority , Vikas Bhawan, Bahu Plaza Jammu under RTI Act, 2009 whereunder he sought the following information:-

- i. Copy of engagement/appointment orders of Legal Assistant issued in Jammu Development Authority indicating terms and conditions.
- ii. Copy of order placing on regular grade.
- iii. Copy of note side seeking approval of competent authority for the appointment and placement on regular grade.
- iv. Whether their appointment/release of grade is covered under prescribed Government instructions.

The RTI application of the information seeker was received in the office of PIO/Secretary JDA on 24-07-2013. The PIO forwarded the application to the FA&CAO, JDA, Sr. Law Officer, JDA and Establishment Clerk vide office letter No. Dy. Secretary/JDA/RTI/57/159-161 dated 25-07-2013. In this connection, FA&CAO, JDA has furnished that the information does not pertain to their section vide letter No:JDA/Acctts/2013-14/436 dated 01-08-2013. The establishment clerk has also reported that the requisite file has not been handed over to him by his predecessor Mr. Rajinder Singh Choudhary the then establishment clerk. The Sr. Law Officer has also reported vide his endorsement No:JDA/Ligig/RTI/original/115 dated 03-09-2013 that the requisite information may be sought from establishment section. Thus, during this period no information was provided to the information seeker. He filed Ist appeal before the FAA, JDA on 20-08-2013 and same was marked to Secretary, JDA on 26-08-2013 and Secretary, JDA further marked the said appeal to APIO JDA on 27-08-2013 and accordingly, the appeal was forwarded by the APIO to the FA&CAO, JDA, Sr. Law Officer and Sh. Parshotam Lal Establishment clerk vide office letter No:Dy. Secy/JDA/RTI/60/230-32 dated 02-09-2013. They have ultimately responded that the requisite file is not traceable.

In view of the above factual status, the information could not be provided to the appellant. The Secretary, JDA/PIO vide his counter statement No:Secy./JDA/60/522 dated 29-10-2013 informed the Commission that the concerned officials were then asked to furnish the appointment orders, regularization orders alongwith relevant papers with them and on receipt of the same, these documents have been dispatched to the appellant at his residential address through post.

During the course of proceedings held today, the Secretary, JDA, Jammu/PIO further submitted that two officials have been deputed to look after the whereabouts of the file and furnish the report within 15 days. The

PIO assured the Commission that on retrieving the concerned file, the rest of the information which is only available on the file will also be furnished to the appellant and compliance report to this effect will be filed to the Commission accordingly. In view of the submissions of the PIO, no further direction in the matter is required.

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. The First Appellate Authority / Vice-Chairman, Jammu Development Authority, Jammu.
2. Public Information Officer /Secretary, Jammu Development Authority, Jammu.
3. Sh. Mohammad Muzafar R/o House No. 116, Lane II, Firdous Colony Buchpora, Srinagar Kashmir .
4. Guard file.

(Khalid. A. Shah)  
Dy. Registrar  
State Information Commission