



Jammu and Kashmir State Information Commission

جموں اینڈ کشمیر سٹیٹ انفارمیشن کمیشن

(Constituted under The Right to Information Act, 2009)

Wazarat Road Near D.C. Office, Jammu, Fax No. 0191-2520947, 2520927

Old Assembly Complex, Srinagar. Fax No. 0194-2484268, 2484269

www.jksic.nic.in

File No: SIC-J-C/188/2012

Decision No: SIC-J-C/188/2012/53

Sh. Mehmood Ali	Complainant	Absent
Sh. Nazir Ahmed Danish Zonal Education Officer, Mandi.	PIO	Present

Jammu

08-03-2013

Briefly the facts in this complaint are that Sh. Mehmood Ali S/o Sh. Shoket Ali Mir R/o Vill. Lohail Bela, Teh. Mandi, Distt Poonch moved an application dated 22-09-2012 under J&K RTI Act, 2009 before the PIO O/o Deputy Commissioner, Poonch seeking the following information:-

1. *Certified copies of Advertisement Notice published in respect of RET.*
2. *Certified copies of Panels prepared by the ZEO Mandi in respect of RET for aforesaid village including all the related documents duly approved by VLEC Committee.*
3. *List of VLEC prepared for the aforesaid village.*
4. *Certified copies of all the correspondence i.e DSR/DDC/CEO/VEC.*
5. *Certified copies of all the academic documents of the candidates and verification received by ZEO Mandi from concerned Universities vide No. 4943/69/12 dated 13-02-2012 and ZEO Mandi vide No. ZEOM/12/715 dated 28-01-2012 alongwith a copy of report and action taken by the ZEO Mandi in the matter.*
6. *Certified copies of following letters No. DSEJ/M/W/2011/176626-27 dated 01-11-2011, 11356-*

57 dated 27-12-2011 DSEJ/M/W/2012/2078-79 dated 25-04-2012, DSEJ/M/W/2012-13/311-12 dated 29-08-2012 alongwith the copies of comments/replies given by ZEO, Mandi.

The RTI application of the information seeker was referred to ZEO, Mandi for further necessary action at his end by the Additional Deputy Commissioner, Poonch. After receiving the complaint from the information seeker, Commission vide its notice bearing no. SIC/J/C/188/2012/96-97 dated 07-01-2013 directed the PIO O/o Deputy Commissioner, Poonch to send counter reply to this Commission within 7 days from the receipt of the notice and in compliance to the aforesaid notice the Additional Deputy Commissioner /PIO, Poonch vide letter no. ADCP/PS/714 dated 22-01-2013 informed the Commission that the applicant presented in his office an application on 22-09-2012 under the J&K RTI Act, 2009 and the same was transferred under Section 6(3) of the J&K RTI Act, 2009 to ZEO, Mandi through applicant on 22-09-2013. ZEO, Mandi vide his office letter no. ZEOM/13/2362 dated 17-01-2013 has reported that the said application has not been received in his office and he also conducted an enquiry to this effect and found that the aforesaid application was not received in his office. However, the above named applicant had moved an application dated 14-09-2012 in the office of ZEO, Mandi and the information relating to the same stands furnished to the information seeker vide office letter no. ZEOM/SSA/2070 dated 20-09-2012 under proper receipt.

The ZEO, Mandi appeared in person before the Commission and he submitted the office record relating to RTI application of the information seeker for the perusal of the Commission. It is quite pertinent to mention here that the perusal of the office record brought by the ZEO, Mandi and office letter no. ADCP/PS/714 dated 22-01-2013 filed by Additional Deputy Commissioner / PIO, Poonch as counter statement before the Commission clearly reveals that there is

no lapse or deliberate delay on the part of the ZEO, Mandi in furnishing the information to the information seeker. The information seeker did not deposit his RTI application in the office of the ZEO, Mandi and as such it is not expected of the ZEO to run after the information seeker.

However, during the course of proceedings ZEO, Mandi was provided a photocopy of the RTI application of the complainant and he assured the Commission to dispose of the same within a week's time. In view of these facts ZEO, Mandi is directed to dispose of the RTI application of the information seeker within one week from the date of pronouncement of this order and file a compliance report to the Commission.

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 :

1. First Appellate Authority / Deputy Commissioner, Poonch.
2. Public Information Officer / Zonal Education Officer, Mandi Distt. Poonch.
3. Sh. Mehmood Ali S/o Sh. Shoket Ali Mir R/o Vill. Lohail Bela, Teh. Mandi, Distt. Poonch.

(M.S Shah)
Registrar,
J&K State Information Commission