



Jammu and Kashmir State Information Commission

(Constituted under Right to Information Act 2009)

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File No: SIC/CO/SA/109/2014

Decision No: SIC/CO/SA/109/2014-594

Title:- Eshan Pandita
V/s
PIO School Education Department

Jammu
21.02.2014

This is a second appeal filed by Shri Eshan Pandita, a resident of the State in the Commission on 11.09.2013. Accordingly, The Registry of this Commission fixed the hearing on 21.2.2014. Shri Shahnwaz Bukhari, Deputy Secretary-cum-FAA and Shri Ajay Bharti, Under Secretary-cum-PIO, School Education Department attended. Appellant was represented by Shri Mahesh Dhar, one of his close relatives. Both the parties were heard.

2. The only ground of second appeal is that the PIO as well as the FAA did not pass an order on this application and first appeal. PIO submitted before the Commission that his predecessor has passed the order on 2.7.2013 which has been sent by ordinary post. The information seeker states that no such ordinary post was received by him. Similarly, first appeal has not been received by the FAA as submitted by FAA. There is no evidence with the information seeker that the postal authorities had delivered the said first appeal in the office of FAA. The copy of the order as passed by the PIO has been gone through by the Commission and the appellant, who was represented by Shri Mahesh Dhar one of his close relatives, has been provided with a copy of the order.

3. It has been revealed during the hearing that the PIO's order has been sent by ordinary post on 2.7.2013. The present PIO has been apprised about the mode of sending the orders as laid down in the Rule 4 of RTI Rules, 2012 and is advised that for sending the orders to the information seekers mode of dispatch has to be the same as laid down in the Rules.

The second appeal is accordingly disposed of.

Sd/-

(G.R. Sufi)

State Chief Information Commissioner

Copy to:-

1. First Appellate Authority, School Education Department, Civil Sectt. Jammu
2. Public Information Officer, School Education Department, Civil Sectt. Jammu
3. Eshan Pandita, R/o 32/1 Vikas Nagar, Sarwal, P/O Rehari Jammu
4. Private Secretary to Chief Information Commissioner
5. Guard file.

(G.Q. Bhat)

Registrar

State Information Commission