



**Jammu and Kashmir State information Commission**  
(Constituted under The Right to Information Act, 2009)  
**Wazarat Road, Near DC office Jammu, 0191-2520947, 2520937**  
**Old Assembly Complex, Srinagar. 0194-2484269, 2484262**  
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File No.SIC/CO/Comp/33/2013  
Decision No.SIC/CO/Comp/33/2013/504

Titled:- Shri Ravinder Singh Slathia R/o 190-G, Sainik Colony, Jammu (Appellant).  
V/s

FAA, Public Services Commission.  
PIO, Public Services Commission.

Srinagar  
09-09-2013

This is a complaint filed by Shri Ravinder Singh Slathia against FAA, PSC and PIO PSC before this Commission on 19-6-2013. The appellant has filed an RTI application dated 19-2-2013 before PIO, PSC at Jammu seeking therein following information with respect to PSC Notification No.7-PSC(DR-5) of 2013 dated 21-01-2013:-

- i. Certified copies of details of marks obtained in interview as well as academic and other facts of all the selected candidates along with applicant for the posts of Lecturer-I Mechanical in Technical Education;
- ii. Certified copies of the procedure adopted by the PSC for the selection of Lecturer-I, Mechanical in Technical Education;
- iii. Certified copies of Academic Qualification and experience of all the selected candidates along with applicant of Lecturer-I, Mechanical in Technical Education.

The case was listed for hearing on 9-9-2013 and prior notice was given to the PIO, PSC and FAA, PSC. The information seeker was also informed of the hearing date vide notice No.SIC/CO/Comp/33/2013 dated 21-08-2013.

The PIO, PSC was present and the information seeker chose not to be present on the date of hearing. Appellant has not given any contact number in any of his papers available on the record, he could not be reached on phone during the proceedings of the case.

The written submission made by the PIO. PSC vide his letter No.PSC/RTI/2013/51 dated 6-9-2013 has been taken on record. It has been found that RTI application was disposed of by the PIO vide letter No.PSC/RTI/2013/51 dated 22-7-2013 and information has been provided to the information seeker on item (i) and (iii). The PIO explained that delay in furnishing the information was on account of non-response from 3<sup>rd</sup> parties for conveying their consent as it involved 3<sup>rd</sup> party information under section 11 of the Act and that the personal section of the Chairman of PSC, which is custodian of confidential records was pre-occupied with the conduct of interview of KCS (judicial) and KAS examination which also resulted in procedural delay. Seemingly the PIO has not carefully gone through the provision of section 11 of the Act. Section 11 provides a time limit for third party's objection if any. Secondly the plea that the records were in the personal custody of the Chairman also has no relevance for matters connected with RTI applications. The RTI Act is a source of transparency and not confidentiality exception the situations and conditions covered under section 8 of the Act.

The PIO also explained that information regarding item (ii) with regard to procedure for selection of Lecturer-I(Mechanical) Technical Education is already in public domain in the shape of advertisement notice published by the PSC.

There is another representation of the appellant on the record which is addressed to PIO, PSC and copy thereof made to State Information Commission wherein the appellant alleges that information has been provided to him in respect of selected candidates only. The attention of the Commission was drawn by the PIO to the original RTI application of appellant wherein as per item (i), he has sought information about all the selected candidates. The PIO stated that information has accordingly been provided to the appellant in respect of selected candidates.

As the information has been provided and appellant has not made out a specific case for not receiving full information, the complaint is accordingly disposed of.

Sd/-

(G.R.Sufi)

State Chief Information Commissioner, J&K

Copy to the:-

1. FAA, Public Services Commission, J&K, Srinagar.
2. PIO, Public Services Commission, J&K, Srinagar.
3. Shri Ravinder Singh Slathia R/o 190-G, Sainik Colony, Jammu.
4. Private Secretary to HCIC.
5. Guard file.

( Gh. Qadir Bhat )

Registrar,

J&K State Information Commission.