



सत्यमेव जयते

GOVERNMENT OF JAMMU & KASHMIR  
**DIRECTORATE OF SAMAGRA SHIKSHA, J&K**  
**(Office of the First Appellate Authority)**

Opposite Gurudwara, NH By-pass Road, Channi Rama, Jammu (Winter)  
Baghat-e-Barzulla, Behind B&J Hospital, Srinagar (Summer)  
Tel. 0191-2467421, 2467220 (Jammu), 0194-2438731, 2435895 (Srinagar)  
Email address:- jksamagrashikshagmail.com

**Subject:- First Appeal under section 19(1) of RTI Act. 2005 in the matter of:**

Mr Akhter Rasool Akhter  
R/o Khawaja Bagh  
Baramulla – 193103  
(Appellant)

V/s

Central Public Information Officer  
Directorate of Samagra Shiksha,  
J&K, Jammu.  
(Respondent)

- |  |            |
|--|------------|
| 1. Date of filing application for seeking information under the provisions of the RTI Act: | 20-03-2023 |
| 2. Date of disposal/Reply/information provided by the CPIO:                                | 25-04-2023 |
| 3. Date of filing appeal before the First Appellate Authority:                             | 23-05-2023 |
| 4. Date of hearing appeal by the First Appellate Authority:                                | 09-06-2023 |

**ORDER**

- Whereas, the Appellant has filed an appeal before the Ist Appellate Authority on 23-05-2023, against the CPIO of the Directorate Samagra Shiksha, J&K for providing incomplete, wrong, misleading and contradictory information;
- Whereas, the appeal was heard on 09-06-2023, in presence of Appellant and the CPIO through virtual mode and during the course of hearing the appellant had stated the following:
  - That 13 points information was sought from the CPIO Directorate of Samagra Shiksha vide application dated 20-03-2023.
  - That the CPIO transferred the application to the PIO VTPs, PIO JKBOSE and PIO NSDC after the lapse of timeline prescribed under the Section 6 (3) of RTI Act.
  - That the CPIO has not provided the complete information in respect of points as specifically mentioned in the appeal application.
  - That the information regarding point No. 2, 3, 4, 8, 9 & 10 of the application dated 20-03-2023 has not yet been provided by the concerned CPIOs to whom the application was transferred.
  - That the complete information with respect to point No. 7 of the RTI application, has not been completely provided by the PIO JK BOSE.
- The Appellant was heard in detail and it was found that he was asking for some information which was not available in the office records of the jurisdiction office of the CPIO is In-charge of. It was also found that in some of the points/paras, he was asking for creating the information particularly in some of section of Vocational Training Partners in format. As per section 2(f) of RTI Act 2005 and also the ruling of Hon'ble Supreme Court of India, it is provided that

***"Information" means any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force;***




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4. The CPIO, Directorate Samagra Shiksha, also brought into the notice of the Appellate Authority that delay in transfer of application was also made to some extent, due to the late receipt of reply from the Coordinator Vocational Training.
5. After hearing both the Appellant and CPIO, the First Appeal filed by the Appellant is disposed of with following decisions:
  - a. That the CPIO of the Directorate shall take due care in future to reply the RTI application and also to transfer the RTI to another Public Authority within the prescribed period of time.
  - b. That the information which has not been completely furnished to the Appellant shall be made available by the CPIO within next 07 days which is under his possession. He shall also ask the Vocational Training Partners (VTPs) to provide the information as per the RTI Act immediately to the Appellant.
  - c. That the CPIO of the JK BOSE and CPIO National Skill Development Corporation (NSDC) New Delhi are also asked to provide the information which the Appellant has asked for and has been transferred by the CPIO of the Directorate to them, which is in their possession. However, in case of non-addressing of issue, the Appellant may approach the First Appellate Authority of the respective CPIO.
  - d. I/c Website of the Directorate is directed to immediately update the website of the Directorate indicating the details of officers/officials with respective designation as per present position.

The Appellant can approach the Chief Information Commission, New Delhi by way of 2<sup>nd</sup> Appeal, if aggrieved by the said decision within the specified time period.

  
**(Deep Raj) JKAS**  
Project Director,  
Samagra Shiksha, J&K  
(First Appellate Authority)

No:- Edu/PD/SmS/FAA/2023/2727-29

Dated: 21-06-2023

Copy to the:

1. Central Public Information Officer, Directorate of Samagra Shiksha, J&K, Jammu for immediate compliance.
2. I/c Website, Directorate Samagra Shiksha for compliance.
3. Mr Akhter Rasool Akhter R/o Khawaja Bagh, Baramulla – 193103.