



**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**  
www.jksic.nic.in  
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File No: SIC/K/Comp/84/2013  
Decision No: SIC/K/Comp/84/2013/07

Title: S. Ishtiyag, v/s ZEO Kakpora  
General Secretary Pulwama  
Abu Bakar Educational  
Society, Parigam Pulwama.  
(Complainant) (Respondent)

Present: 1. Sh. Ghulam Hassan Sheikh, ZEO Kakpora  
2. Sh. Nazir Ahmad Wani, ZEPO O/o ZEO Kakpora.

**Srinagar**  
**16.01.2014**

The Commission received a complaint on 06.12.2013 from Shri S. Ishtiyag, General Secretary, Abu-Bakar Educational Society, J&K against ZEO Kakapora stating that he filed an RTI application on 21.10.2013 for inspection of works/records in the office of ZEO Kakapora and the concerned PIO in his communication has in a way denied the inspection. It is further submitted that a reminder was then filed on 04.11.2013, asking for the inspection date, but the concerned official failed to perform his duties as PIO. The complainant has requested to Commission to provide him opportunity to inspect the works.

Records enclosed with the complaint reveal that an RTI application has been filed by the complainant before ZEO Kakapora on 21.10.2013 **seeking inspection of works/records regarding construction of bathrooms in various schools of the zone.**

ZEO/PIO vide order dated 30.10.2013 has given his response enclosing list of toilets constructed during the year 2013 and stating that that Government has already set up an inspection team for monitoring the said constructions and that the inspection team will present a report about their assignment to the higher authorities in due course of time.

In reference to above communication, the complainant vide letter dated 04.11.2013 requested the PIO to fix date for inspection within the stipulated time under the Act.

This has been responded to by the PIO/ZEO vide letter dated 12.11.2013 stating that information has already been provided regarding allotment/construction of Girl's Toilets vide office communication dated 30.10.2013. PIO has further stated that the information seeker is at liberty to inspect/see whether the constructions have been made at the relevant places or not.

In the information provided by the PIO vide response dated 30.10.2013, list of toilets constructed, their location, funds received/released etc. has been provided. Subsequently, ZEO has clearly stated that information seeker is at liberty to inspect/see whether the constructions have been made at the relevant places or not. Therefore this information was sufficient for information seeker to carry out the inspection of these toilets in respective schools.

As per definition 'right to information' means the right to inspection of work, documents, records etc. In this case location of works has been provided for facilitating inspection. As per the provisions of the Act, PIO is not obliged to accompany the information seeker for such inspection unless there is evidence that the information seeker was obstructed from inspecting the works at locations given in the list.

In view of above, order passed / responses given by PIO are in accordance with provisions of J&K RTI Act and hence the complaint filed before the Commission is dismissed.

Sd/-

**(Nazir Ahmed)**  
**State Information Commissioner**

Copy to the:-

1. Zonal Education Officer, Kakpora Pulwama(PIO).
2. Sh. S. Ishtiaq, General Secretary, Abu Bakar Educational Society, Parigam Pulwama.

**(M.S. Bhat)**  
**Deputy Registrar,**  
**J&K State Information Commission**