



Jammu and Kashmir State information Commission
(Constituted under The Right to Information Act, 2009)
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Old Assembly Complex, Srinagar. 0194-2484269, 2484262
www.jksic.nic.in

File No: SIC-K/SA/18/2013
Decision No: File No: SIC-K/SA/18/2013/61

Title: Sh. Ab. Ahad Sheikh, v/s PIO/Executive Officer
S/o Gh. Hassan Sheikh Municipal Committee, Ganderbal
(Appellant) (Respondent)

Present: 1. Shri M.R. Ghassi, ADDC Ganderbal.
2. Shri Shabir Ahmad Wani, EO MC Ganderbal.
3. Shri Abdul Ahad Sheikh, Appellant.

Srinagar
16.07.2013

This is a second appeal filed Shri Ab. Ahad Sheikh so/ Gh. Hassan Sheikh r/o Beehama, Ganderbal on 18.06.2013 against PIO/Executive Officer Municipal Committee Ganderbal. The appellant has submitted that RTI application filed by him on 24.12.2012 has been responded to by the Executive Officer MC Ganderbal vide letter dated 23.01.2013 endorsing report of AEE Urban Local Bodies Sub Division Ganderbal, was an acceptable one. The appellant has further submitted that response to the second application to the same office through receipt No. 516 dated 28.01.2013 was again disappointing. Thereafter he filed first appeal with the First Appellate Authority who directed the EO MC Ganderbal to provide

the requisite information within two days positively but allegedly he was not given in the response within stipulated time. In view of above the appellant has requested the Commission to intervene the matter.

Records enclosed with the appeal reveal that an RTI application has been filed by the appellant before Executive Officer Municipal Committee Ganderbal on 24.12.2012. This has been acknowledged by the office of EO on a proper receipt on 24.12.2012 and have advised information seeker to contact PIO on 23.01.2013 during working hours for receiving the information.

The RTI application has been responded to by the EO vide letter dated 23.01.2013 by enclosing the information provided by engineering wing of the Department as under: -

No.	Query	Response of PIO
1.	Macadamization of Numbal road and inner roads in Beehama.	The work stands allotted vide allotment No. DULB/K/Plg/239/7849-50 dated 24.09.2011. Date of start 28.09.2011.
2.	Constr. of drain alongside the Numbal road.	No work has been executed under this nomenclature by this Deptt.
3.	Soiling/metaling of road near Waheed Sahab at Beehama Ganderbal.	No. work has been executed under this nomenclature by this department.

Therefore RTI application has been disposed of within prescribed period.

Thereafter applicant submitted an application on the subject of RTI before PIO giving further details of information sought with regard to nomenclature and location etc. which has been received on 28.01.2013. This application is not accompanied with prescribed fee and therefore cannot be treated as an application under RTI Act.

while responding to the notice of the Commission, the PIO has taken cognizance of information sought vide application dated 28.01.2013 and information comprising of copies of bills, estimates in respect of all three queries and quality control report of query 3 has been complied comprising of 15 pages which information is provided to the appellant during hearing by the PIO.

The Commission holds that the information sought under RTI application dated 24.12.2012 and also further details sought in application dated 28.01.2013 has been responded to by PIO.

The appeal is accordingly disposed of.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the: -

1. Addl. Deputy Development Commissioner Ganderbal.
2. Executive Officer Municipal Committee Ganderbal.
3. Shri Ab. Ahad Sheikh so/ Gh. Hassan Sheikh r/o Beehama, Ganderbal.

(Mohammad Sayed Shah)
Registrar,
J&K State Information Commission