



Jammu and Kashmir State Information Commission

(Constituted under Right to Information Act 2009)

Old Assembly Complex, Srinagar, Fax No. 0194-2484269 , 2484262

Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937

www.jksic.nic.in

File No: SIC/J/C/17/2013

Decision No: SIC/J/C/17/2013/142

Mohd. Asdullah Sheikh

Complainant

Absent

Sh. A.K. Chibber
Executive Engineer,
Elect. Maintt. & RE Div-1,
Jammu

PIO

Present

Jammu
28.05.2013

Briefly the facts in this complaint are that Mohd. Asdullah Sheikh S/o Mohd. Jameel Sheikh R/o Upper Gujjar Nagar, Tehsil & District Jammu moved an application dated 13.03.2013 under J&K RTI Act, 2009 before the PIO, office of the Executive Engineer, PDD M&RE, Division Parade 1-A, Jammu seeking the following information:-

- 1. Furnish the detailed information regarding RE work held at Raghunath Bazar, and R.E. work at Talab Khatikan, Jammu in the year of 2012.*
- 2. Furnish the detailed order copy regarding on which order the employment / appointment of Daily Wagers / Casual Laborers are engaged in this Division and how many persons are appointed in the year 2000 to 2012.*

The information seeker in his complaint before the Commission has alleged that his RTI application was torn by one Sh. Ajit Singh,

Asstt. Executive Engineer, Electrical M&RE, Div. Parade-1A, Jammu and he has also misbehaved with him using the abusive language in front of all the staff members and real brother of the applicant. After receiving the complaint of the complainant the Commission vide its notice bearing no. SIC/J/C/17/2013/2007 dated 07-05-2013 directed the PIO to send counter reply to the Commission within 7 days of receipt of the notice. The PIO / Executive Engineer, Elect. Maintt. & RE Div-1, Jammu in compliance to the aforesaid notice informed the Commission vide office letter no. MD.1/740 dated 20-05-2013 that the RTI application addressed to PIO / Executive Engineer, Elect. Maintt & RE Div-1, Parade which has been referred in the complaint of the applicant has not been received in his office. Moreover, there is no Asstt. Executive Engineer namely Ajit Singh working in this division and there is no report of any RTI application have been torned.

The perusal of the aforesaid facts and RTI application of the applicant lead to the conclusion that RTI application was accompanied with an Indian Postal Order of Rs. 10/- dated 14-03-2013 and the information sought by the information seeker seems to be genuine which needs to be disposed of by the PIO within a reasonable time. The allegations raised in the complaint are serious in nature and needs to be inquired into by head of the concerned wing i.e. Executive Engineer, Elect. Maintt & RE Div-1, Parade in order to initiate disciplinary action against the delinquent officer who destroyed / damaged the RTI application of the information seeker. Keeping in view the aforesaid facts, the PIO is hereby directed to dispose of the RTI application of the information seeker within 10 days from the date of pronouncement of this order under an intimation to the Commission.

The complaint is accordingly disposed of.

Notice of this decision be given free of cost to the parties.

Sd/-

Dr. S.K. Sharma

State Information Commissioner

Copy to the:-

1. Public Information Officer / Sh. A.K. Chibber, Executive Engineer, Elect Maintt. & RE Div-1, Jammu.
2. Mohd. Asdullah Sheikh S/o Mohd. Jameel Sheikh R/o Upper Gujjar Nagar, Tehsil & District Jammu.
3. Guard file.

Jang Bhadur

Joint Registrar

State Information Commission