



**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  
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File No: SIC/J/A/96/ 2013

Decision No: SIC/J/A/96/ 2013/202

Sh. Tajinder Singh            Appellant            Present

Sh.Mohd. Hanif Tantray            PIO            Heard through video conferencing  
Accounts Officer,  
On behalf of PIO,  
Chief Executive Officer,  
Poonch Development Authority,  
Poonch.

**Jammu.**  
**19-07-2013**

Briefly the facts in this appeal are that Sh. Tajinder Singh S/o S. Naranjan Singh R/o Upper GadiGarh, Satwari Jammu moved an application dated 27-11-2012 under the J&K RTI Act, 2009 before the PIO Poonch Development Authority, Tourism Sector, Poonch seeking information relating to presence of non official representatives of tenderers especially Mr. Shoket Mir who was shown representative of S. Jagmeet singh who had not submitted any tenders in tendering process. The information seeker also wanted to have particulars of persons responsible for not following the procedure as regard to the opening of tenders, thus causing uncalled for harassment to the tenderers in the process.

The PIO furnished some information to the information seeker vide letter No:CEO/PDA/12/615-16 dated 03-01-2013. The information seeker feeling aggrieved of the information provided to him as it did not clarify

the issues raised by him in his RTI application, preferred appeal dated 19-02-2013 before Director, Tourism and Culture Department, Jammu who vide office letter NO:DTJ/PS/RTI/1265 dated 05-03-2013 directed the PIO/Chief Executive Officer, Poonch Development Authority, Poonch to provide the necessary information as sought by the applicant under RTI at the earliest under an intimation to his office. Despite the order of the FAA, the information seeker was not provided relevant information. Thus, feeling aggrieved of inaction on the part of the PIO, he knocked the doors of the Commission by filing second appeal dated 30-04-2013. The matter was listed for hearing on 21-06-2013 and the PIO was directed to file counter statement alongwith relevant documents within a week,s time and in compliance with the said direction of the Commission, PIO/CEO, PDA Poonch vide office letter NO:CEO/PDA/13/153-54 dated 26-06-2013 furnished some information to the Commission containing 17 leaves. Perusal of the information so submitted to the Commission shows that it does not contain those aspects of information as sought by the information seeker in his RTI application. The matter was again listed and heard through vide conferencing on 19-07-2013. Sh. Mohd. Hanif Tantray, Accounts Officer, Poonch Development Authority, Poonch appeared on behalf of the PIO as the latter was busy in some official assignment and could not cause his appearance before the Commission.

During the couse of proceedings, Sh. Mohd. Hanif Tantray, Accounts Officer,PDA Poonch informed the Commission that no letter of authority is available in the office record authorizing Sh. Shoket Mir to represent S. Jagmeet Singh who was not tendering and had no authority as such to authorize any person to represent him in the tendering process. The information seeker has sought information about unauthorized presence of Mr. Shoket Mir in the tendering process and copy of the letter of authority if any issued by S. Jagmeet Singh in his favour.

In view of above facts and submissions made by Sh. Mohd. Hanif Tantray, Accounts Officer, Poonch Development Authority, Poonch it is

hereby ordered that the information as sought by the information seeker in his RTI application and available in office record shall be provided to the information seeker within a week's time from the date of receipt of this order under an intimation to the Commission.

The appeal is accordingly disposed of.

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

**Sd/-**

Dr. S.K. Sharma  
State Information Commissioner

**(S.S-Anu)**

Copy to :

1. First Appellate Authority / Director, Tourism and Culture Department, Jammu.
2. Public Information Officer / Chief Executive Officer, Poonch Development Authority, Poonch.
3. Sh. Tajinder Singh S/o S. Naranjan Singh R/o Upper GadiGarh, Satwari Jammu

(Khalid A. Shah)  
Dy. Registrar,  
J&K State Information Commission