



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-A-146/2013
Decision No: SIC-J-A/146/2013/213

S. Man Mohan Singh	Appellant	Present
Sh. Krishan Chander Gupta Executive Engineer, Irrigation Division No.1, Jammu.	PIO	Present

Jammu
26-07-2013

Briefly the facts in this appeal are that Sh. Man Mohan Singh S/o Sh. Bhagat Singh R/o 71, Shastri Nagar, Jammu moved an application dated 18-03-2013 under J&K RTI Act, 2009 before the PIO Executive Engineer, Irrigation Division No.1, Jammu seeking the following information :-

- i. Authentic Lab. Test Report for the Dump in the MRC from RD25000-RD25600 RD.
- ii. Independent Agency Authentic Report for the Quantity of Garbage in the MRC from RD 25000 mtr-Rd 25600.
- iii. The Area provided by the Irrigation Department for dumping Garbage that is removed by the Department.

- i. New Estimate for the RD25000-RD25600 for the report being provided as per S.No.2.
- ii. When ERA started the work on MRC Rd 25000-RD25600 Mtr. Detailed Report required and also specify the Nature of the work being carried by E.R.
- iii. What Method do they adopt to stop the continuous flowing water and Garbage being directed in the MRC from Bakshi Nagar and Shakti Nager.
- iv. What were the Protocols being adopted by the Department to allow E.R.A to carry work on M.R.
- v. Details of payment of the work of ERA being paid to Irrigation Department (Item-wise).
- vi. Details of Terms and conditions between Irrigation Department and E.R.A, authenticated copy be provided.

The PIO/Executive Engineer, Irrigation Division No.1 Jammu vide office letter No:5528-30 dated 11-07-2013 filed counter statement before the Commission. In the counter statement, he has submitted that the information was sent to the information seeker vide office letter No: 871-72 dated 16-04-2013 by ordinary post. However, the information seeker has denied the receipt of the same and submitted before the Commission that only very recently he has received registered letter containing aforesaid information.

Perusal of the counter statement shows that the information seeker filed Ist appeal before the FAA i.e Superintendent Engineer, Hydraulic Circle, Jammu who provided an opportunity to the applicant to attend his office on 16-05-2013 at 11.00 A.M but the applicant failed to attend his office as such appeal was dismissed by the FAA. Thus, feeling aggrieved of the order of the FAA, appellant preferred second appeal before the Commission alleging therein that the information provided to him by the

PIO is incomplete and incorrect and requested that PIO be directed to furnish revised information as per his RTI application.

In view of the request of the appellant, PIO is hereby directed to furnish revised information to the information seeker which must be in conformity with his RTI application and as per office record within 7 days from the date of receipt of this order. The PIO is also directed to submit to the Commission, the documentary proof and certified photocopies of dispatch register under which letter No: 871-72 dated 16-04-2013 was dispatched to the information seeker within 7 days from the date of receipt of this order..

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

Copy to the:-

1. The First Appellate Authority/Superintendent Engineer, Hydraulic Circle Jammu.
2. The Public information Officer/ Executive Engineer, Irrigation Division No.1 Jammu.
3. Sh. Man Mohan Singh S/o Sh.Bhagat Singh R/o 71, Shastri Nagar, Jammu

(Khalid A. Shah)
Dy. Registrar
State Information Commission