



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/107/ 2013
Decision No: SIC/J/A/107/ 2013/226

Sh. Kovid Khosla
Advocate J&K High Court

Appellant Present

Sh. S.R Shukla
Executive Engineer
Public Health Engineering,
Doda.

PIO Present

**Jammu.
30-07-2013**

Briefly the facts in this appeal are that Sh. Kovid Khosla, Advocate, J&K High Court Jammu, Opposite Eicher Showroom, Main Road, Sidhra, Jammu moved an application dated 18-12-2012 under the J&K RTI Act, 2009 before the PIO /Executive Engineer, PHE Division, Doda seeking the following information:-

- A. *Total amount/Funds received from the J&K State Govt. in year 2010, 2011, 2012 for execution of different (PHE) development schemes and programmes including (LIC, MNP, NAB, S.S and others) in entire Doda district with full details of the estimated cost of such programmes.*
- B. *Total funds received in year 2010, 2011, 2012 for execution of the Central Govt. schemes under NRDWP coverage and NRDWP SLLIPAGE in entire Doda district with full details of the estimated cost of such programmes with dates of completion of such programmes and present status.*
- C. *Names and designation of officials of (PHE division Doda) to whom funds have been sanctioned for making purchases under aforesaid State and Central Govt. schemes with description of amounts sanctioned.*

- D. Details of the items purchased in year 2010,2011,2012 for utilization/application in such schemes alongwith their actual cost and dates of purchase brand and name of company/firm/individual from whom such items have been purchased*
- E. Whether tenders for such purchases were done, if yes, name of the company/firm/individual who made bids and in whose favour tenders were passed with date of tenders.*
- F. Details of bids made in such tenders alongwith the details of the approved bids for last three years.*
- G. Details of items utilized/distributed/installed alongwith the dates and areas of their installation/distribution/utilization under such schemes.*
- H. Details of balance/lapsed amount from the aforesaid State and Centre Govt. schemes for year 2010,2011,2012.*
- I. Full details of the entire staff of PHE, division, Doda with details of their residential addresses/designation/posts held/period of stay at such division/dates of joining said divisions.*

The PIO/Executive Engineer, PHE Division, Doda after receiving the application of the information seeker informed the information seeker vide office letter NO:PHED/RTI/6421-22 dated 14-02-2013 that the information sought is lengthy and cannot be prepared within the stipulated period and as such it is requested that atleast one week may be given to him to provide the requisite information. Subsequently, the Executive Engineer, PHE Division, Doda furnished information to the information seeker containing 33 leaves vide office letter No: PHED/RTI/6669-70 dated 18-02-2013. Meanwhile the information seeker had preferred Ist appeal before the FAA i.e Superintending Engineer, Hydraulic Circle, Doda. The Ist appeal has not been adjudicated and disposed of in a quasi-judicial manner. The information seeker was thus constrained to prefer second appeal before the Commission dated 01-05-2013. The information seeker also apprised the Commission that he had received some information from the PIO during the pendency of the second appeal before the Commission and also alleged that information relating to query No.B of his RTI application is incomplete as it does not provide full details of estimated cost of the certain programmes with dates of completion of such

programmes and present status. The PIO agreed to furnish the revised information relating to the aforesaid queries of the information seeker within a week's time.

Keeping in view the aforesaid facts, it is hereby ordered that information relating to query B as sought by the information seeker in his RTI application shall be furnished to him within a week's time from the date of receipt of this order. Perusal of the counter statement filed by the PIO and documents available on record show that there is delay on the part of the PIO in furnishing information to the information seeker within statutory period as mandated under the RTI Act, 2009. The PIO is hereby directed to show cause explaining in detail the circumstances which led to delay and failure on his part to adhere to the statutory mandate within 3 weeks from the date of pronouncement 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 :

1. First Appellate Authority / Superintending Engineer, Hydraulic Division, Doda.
2. Public Information Officer / Executive Engineer, PHE Division, Doda.
3. Sh. Kovid Khosla, Advocate, J&K High Court Jammu, Opposite Eicher Showroom, Main Road, Sidhra, Jammu.

(Khalid A Shah)

Dy. Registrar
J&K State Information Commission