



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/192/2013
Decision SIC/J/A/192/2013/275

Sh.Jagdish Narain	Appellant	Absent
Sh. Naresh Kumar Secretary, JMC, Jammu.	PIO	Present

**Jammu
18-09-2013**

Briefly the facts in this appeal are that Sh. Jagdish Narain R/o 494-A, Gali Mandir Bawa Lal Ji, Jain Bazar, Jammu moved an application dated 18-03-2013 under J&K RTI Act, 2009 before the PIO O/o Municipal Commissioner, Jammu Municipal Corporation, wherein he had sought information about the shopkeepers of Jain Bazar, Jammu who had encroached drains and fixed shutters and action taken by the department to remove such shutters/encroachments etc. The PIO/Secretary, JMC, Jammu furnished some information to the information seeker vide office letter no. JMC/S/RTI/Comp/1398 dated 22-04-2013. The information related to anti-encroachment drive conducted by the JMC, Jammu on number of occasions to remove the encroachments made by the shopkeepers of Jain Bazar. The PIO also provided some information to the information seeker relating to other drives conducted by JMC, Jammu from time to time for removal of encroachments made by the shopkeepers of Jain Bazar. However, the information seeker was not satisfied with the information provided to him and preferred 1st appeal dated 01-05-2013 before the FAA/Municipal Commissioner, JMC, Jammu which was disposed of vide order no. MJ/Estt/2477-83 dated 24-06-2013 with the following observations:-

"The authorities have taken a serious view and ordered for on spot visit and enquiry which will be conducted by JC (A), Executive Engineers (C) & (T), Chief Enforcement Officer concerned. The enquiry report shall be submitted by JC (A) within three weeks positively"

During the course of proceedings, the PIO informed the Commission that till date no enquiry report has been submitted by the JC (A). In the 2nd appeal filed before the Commission, the contention of the appellant is that he has not received the copy of the enquiry report as ordered by the Commissioner, JMC, Jammu. In view of the aforesaid observations and order passed by the FAA, the Commissioner, JMC, Jammu is hereby directed to ensure that the order which was issued vide no. MJ/Estt/2477-83 dated 24-06-2013 for on spot visit and enquiry to be conducted by JC (A) Executive Engineers (C) & (T), Chief Enforcement Officer concerned is implemented within two weeks from the date of pronouncement of this order and the requisite information so obtained is made available to the information seeker within three weeks under an intimation to the Commission.

Registry is directed to endorse a copy of this order to Commissioner, JMC, Jammu for further necessary action at his end and seek compliance report.

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. Public Information Officer / Sh. Naresh Kumar, Secretary, Jammu Municipal Corporation, Jammu.
2. Sh. Jagdish Narain R/o 494-A, Gali Mandir Bawa Lal Ji, Jain Bazar, Jammu.

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