



Jammu and Kashmir State Information Commission

جموں اینڈ کشمیر سٹیٹ انفارمیشن کمیشن

(Constituted under The Right to Information Act, 2009)

Wazarat Road Near D.C. Office, Jammu, Fax No. 0191-2520947, 2520927

Old Assembly Complex, Srinagar. Fax No. 0194-2484268, 2484269

www.jksic.nic.in

File No: SIC/J/Comp/25th Nov/2011
Decision: SIC/J/Comp/25th Nov/2011/51

Dr. Rehmatullah	Complainant	Present
Sh. Pramod Kumar, Executive Engineer, H.Q. 35 B.R.T.F, Udampur.		Present

Jammu
06-03-2013

The Commission vide its decision no. SIC-J-Comp-25th Nov/2011/171 dated 10-07-2012 directed the Chief Engineer, BEACON to dispose of the RTI application of the complainant within a period of two weeks from the date of pronouncement of the order under an intimation to the Commission. The Colonel Commander, 35 BRTF vide office letter no. 11008/RTI/258/E1B dated 23-07-2012 furnished the point wise information to the information seeker as requested under RTI Act, 2009. However, the information seeker filed a complaint dated 19-10-2012 before the Commission alleging therein that the Chief Engineer, BRO has provided wrong information and has also suppressed the material facts. He further alleged that the issue involves a misappropriation of more than Rs. 60/- crores and besides suppressing the facts the concerned agency in support of their wrong doings has provided two letters of District Administration, Doda which too are not supporting their huge scam. The Commission after receiving the complaint for non-compliance issued

notice bearing no. SIC/J/Comp/25th Nov/2011/5379 dated 02-11-2012 directing the PIO, 35 Border Road Task Force to send counter reply to this Commission within 15 days of receipt of the notice. The matter was listed for hearing on 06-03-2013 and in compliance with the Commission's notice dated 21-02-2013, Sh. Pramod Kumar, Executive Engineer(Civil), 2nd-in-Command for Officiating Commander appeared in person before the Commission and filed a counter statement vide letter no. 11008/RTI/92/EIB dated 05-03-2013. He informed the Commission that in compliance to the orders of the Commission the information was provided to the information seeker vide letter no. 11008/RTI/258/EIB dated 23-07-2012 and a copy was also endorsed to the Commission. He further informed the Commission that they did not receive any correspondence for the last seven months in this regard and requested for disposal of the case for which the notice was issued. The perusal of the information furnished to the information seeker shows that it has not been duly authenticated by the officer concerned who prepared and dispatched it to the information seeker.

Sh. Pramod Kumar, Executive Engineer (Civil), 2nd-in-Command for Officiating Commander was directed to authenticate the information and also file an affidavit in support of the same and in compliance with the direction of the Commission he filed an affidavit duly attested by the public notary, Jammu to the effect that information provided to the information seeker was correct and based on office records and nothing has been concealed. The affidavit and the authenticated information are placed in the file for reference and record.

The complaint for non-compliance 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. Sh. Pramod Kumar, Executive Engineer, H.Q. 35 B.R.T.F,
Udhampur.
2. Dr. Rehmatullah B.C-354, Residency Road, Jammu.

(M.S Shah)
Registrar,
J&K State Information Commission