



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-01/2013

Decision No: SIC-J-Comp/01/2013/59

Sh. Rakesh Kumar	Complainant	Absent
Sh. Majid Hussain J.E. Hydraulic Div. Kishtwar On behalf of Sh. Abdul Wahid Zargar, Ex. Engineer / PIO, Hydraulic Div. Kishtwar		Present

**Jammu,
14-03-2013**

Briefly the facts in this complaint are that Sh. Rakesh Kumar S/o Sh. Munishi Ram R/o Ajna Puller Tehsil and District Kishtwar moved an application dated 10-10-2012 under J&K RTI Act, 2009 before the PIO / Executive Engineer, Hydraulic Division, Kishtwar seeking the following information:-

- 1. Number of Reservoirs and water tanks constructed in Block Nagsani/Padder during the year 2008 to 2012 thereafter giving correct location and amount utilized on each Reservoir and water tank.*
- 2. Number of PSP installed in Block Nagsani/Padder during the year 2008 to 2012 thereafter giving correct location.*
- 3. Total number of works tendered during the year 2008-2012 giving names of work.*

Feeling aggrieved of inaction on the part of the PIO, the information seeker filed a complaint dated 13-12-2012 before the Commission requesting therein that PIO be directed to provide the

information to the information seeker. On scrutiny, the complaint was found deficient in respect of certain documents and a deficiency notice was sent to the information seeker. The information seeker in compliance to the deficiency notice issued by the Commission furnished photocopies of all the documents relating to his RTI application. Accordingly his application was processed and notice was issued to the Executive Engineer, Hydraulic Division, Kishtwar to file counter statement and the matter was listed for hearing on 04-03-2013. However, both the parties failed to cause their appearance before the Commission on that day and the matter was listed for hearing on 14-03-2013. Sh. Sh. Majid Hussain, Jr. Eng. Hydraulic Div. Kishtwar appeared on behalf of Sh. Abdul Wahid Zargar, Ex. Engineer / PIO, Hydraulic Div. Kishtwar. The PIO sought exemption for personal appearance with the request that he has been directed by the Chief Engineer, P.H.E. Department, Jammu to remain stationed at headquarter on 12-03-2013 to 14-03-2013 and should not leave the station without the prior permission of Chief Engineer P.H.E., Jammu as the Assembly Session is going on and the grants of P.H.E., Department Jammu are fixed on 14-03-2013 for discussion in the Assembly.

During the course of proceedings, Sh. Majid Hussain, Jr. Engineer, Hydraulic Division, Kishtwar submitted a letter of authority alongwith an affidavit duly sworn by the Executive Engineer, Hydraulic Division, Kishtwar / PIO and a letter from Sh. Rakesh Kumar (information seeker). In the said letter the information seeker has informed the Commission that the information sought by him / record was shown to him by concerned Executive Engineer / PIO and he is satisfied with the same. The information seeker was also contacted telephonically by Smt. Anuradha Abrol, Sr. Stenographer in the Commission in order to ensure whether the information has been received by him, he accordingly informed the Commission that information as requested by him in his RTI application was provided to

him by Executive Engineer, Hydraulic Division, Kishtwar and requested that his application before the Commission be treated as closed.

In view of the aforesaid facts, it is apparent that information as requested by the information seeker stands provided to him by the PIO and thus the matter in hand does not require any further direction from the Commission.

The complaint 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 Circle, Doda.
2. Public Information Officer / Sh. Abdul Wahid Zargar, Ex. Engineer, Hydraulic Div. Kishtwar.
3. Sh. Rakesh Kumar S/o Sh. Munishi Ram R/o Ajna Puller Tehsil and District Kishtwar.
4. Guard file.

(Jang Bhadur)

Joint Registrar

State Information Commission