



Jammu and Kashmir State Information Commission

جموں اینڈ کشمیر سٹیٹ انفارمیشن کمیشن

(Constituted under The Right to Information Act, 2009)

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

www.jksic.nic.in

File No: SIC-J-A-11/2013

Decision No: SIC-J-A/11/2013/60

Sh. Ghulam Nabi	Appellant	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 appeal are that Sh. Ghulam Nabi S/o Ghulam Ahmed Malik R/o Sattarwagi Palmar Tehsil and District Kishtwar moved an application dated 04-08-2012 before the PIO / Executive Engineer, Hydraulic Division, Kishtwar seeking the following information:-

Detail of amount meant for Hangance to Starwagi pipe line in year 2011-2012 and amount spent on the scheme till date. Also mention the dia. of the pipes installed.

The appellant feeling aggrieved of the inaction on the part of the PIO, preferred 1st Appeal before the Superintending Engineer / FAA, Hydraulic Circle, Doda on 02-11-2012. The 1st Appellate Authority did not adjudicate and dispose of 1st Appeal within the statutory period. Thus, feeling aggrieved of the inaction on the part of the 1st Appellate Authority, the information seeker knocked the doors of the

Commission by filing an appeal before the Commission on 22-01-2013. The Commission vide its notice no. SIC/J/A/11/2013/670-72 dated 07-02-2013 directed the FAA and the PIO to send counter reply to the Commission within 7 days from the receipt of the notice. Finally, the hearing notice was send to the PIO bearing no. SIC/J/A/11/2013/1033-34 dated 01-03-2013 with the direction to appear before the Commission along with counter statement and relevant documents on 14-03-2013.

During the course of proceedings, Sh. Majid Hussain, Jr. Eng. Hydraulic Div. Kishtwar appeared on behalf of Sh. Abdul Wahid Zargar, Ex. Engineer / PIO, Hydraulic Div. Kishtwar and submitted a letter of authority authorizing him to appear before the Commission alongwith an affidavit duly sworn by the Executive Engineer / PIO, Hydraulic Div. Kishtwar and a withdrawal application from Sh. Ghulam Nabi (information seeker), These documents are placed in the file for reference and record. The Executive Engineer / PIO, Hydraulic Division, Kishtwar could not cause his appearance before the Commission because he was directed by the Chief Engineer P.H.E Department, Jammu to remain stationed at Head Quarter from 12th to 14th March 2013 as the grants of P.H.E Department, Jammu were fixed on 14-03-2013 for discussion in the Assembly and on his behalf Sh. Majid Hussain, Jr. Engineer was allowed to present this case before the Commission.

The information seeker in his application addressed to the Executive Engineer, Hydraulic Div. Kishtwar has mentioned that he is satisfied with the information / record shown to him on 07-03-2013 in the office of the PIO. The said application was also forwarded in original to the FAA i.e. Superintending Engineer, Hydraulic Circle, Doda with the request that the appeal dated 02-11-2012 of Sh. Ghulam Nabi S/o Ghulam Ahmed Malik R/o Sattarwagi Palmar, Tehsil and District

Kishtwar be treated as withdrawn as the applicant was satisfied with the record shown on 07-3-2013.

Smt. Anuradha Abrol, Sr. Stenographer in the office of Commission contacted telephonically the information seeker and he informed that he has received the information and the relevant record was also shown to him and is no more interested in pursuing the 2nd appeal and requested that it may kindly be disposed of accordingly.

In view of the aforesaid facts, the Commission is of the considered view that the information as sought by the information seeker has been provided to him and also relevant record was shown to him by the concerned PIO and thus there is no need to pass further direction in the matter.

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 Circle, Doda.
2. Public Information Officer / Sh. Abdul Wahid Zargar, Ex. Engineer, Hydraulic Div. Kishtwar.
3. Sh. Ghulam Nabi S/o Ghulam Ahmed Malik R/o Sattarwagi Palmar Tehsil and District Kishtwar
4. Guard file.

(Jang Bhadur)
Joint Registrar
State Information Commission