



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-52-2013

Decision No. SIC-J-A-52-2013/87

Sh. Bodh Raj Gupta Appellant	Present
S. Gurmeet Singh, Executive Engineer, Elect. Maint & RE Divn-II, Jammu.PIO	Present

Jammu
10-04-2013

Briefly the facts in this appeal are that Sh. Bodh Raj Gupta S/o Late Sh. Kaka Ram R/o H.No. 92-C Shastri Nagar, Jammu moved an application dated 06-11-2012 under J&K RTI Act, 2009 before the PIO/Executive Engineer, Elect. Maint & RE Divn-II, Jammu seeking the following information:-

- A) *Installation/Connection No.10102010029856-name and Resident of and other particulars of the Consumer ID No. 20856.*
- B) *Date and year of installation No. 83470 and place electrified with copies of all documents of Mohan Lal & Rakesh Kumar attached in obtaining connection.*

The PIO/ Executive Engineer, Elect. Maint & RE Divn-II, Jammu vide office letter No:EMD-II/5889-91 dated 27-12-2012 furnished certain information to the information seeker. However, the information seeker was not satisfied with the information provided to him as it was not as per his RTI application. Thus feeling aggrieved, the information seeker preferred appeal dated 21-12-2012 before the Chief Engineer, Power

Development Department, Maintenance & Rural Electrification Wing, Jammu. Perusal of the documents on record shows that Ist appeal is subjudice and has not been adjudicated and disposed of by the First Appellate Authority. The First Appellate Authority being a quasi judicial authority is under statutory obligation to adjudicate and dispose of appeals within the statutory period of 30 days which is extendable for 15 days for reasons to be recorded in the writing. However, in this case, the FAA forwarded the appeal of the appellant to the concerned PIO with the direction that the requisite information be provided to the appellant immediately. The FAA should have adjudicated and disposed of the matter by passing a speaking and reasoned order, whereas, in this case, the FAA failed to discharge its statutory obligation and merely forwarded the appeal of the appellant to the PIO concerned. The information seeker thus feeling aggrieved of inaction on the part of the FAA filed second appeal dated 13-02-2013 before the Commission and prayed therein that the PIO be directed to furnish the requisite information as requested in the RTI application.

During the course of proceedings held today, the information seeker clarified certain points relating to his request made in his RTI application and PIO agreed to furnish the revised information. Keeping in view the aforesaid facts, the PIO is hereby directed to provide the revised information to the information seeker free of cost and as per office record within 10 days from the date of pronouncement of this order under an intimation to the Commission.

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/ Chief Engineer, Power Development Department, Maintenance & Rural Electrification Wing, Jammu.
2. Public Information Officer / Executive Engineer, Elect. Maint & RE Divn-II, Jammu.
3. Sh. Bodh Raj Gupta S/o Late Sh. Kaka Ram R/o H.No. 92-C Shastri Nagar, Jammu.

(M.S. Shah)

Registrar,

J&K State Information Commission