



Jammu and Kashmir State information Commission
(Constituted under The Right to Information Act, 2009)
Wazarat Road, Near DC office Jammu, 0191-2520947, 2520937
Old Assembly Complex, Srinagar. 0194-2484269, 2484262
www.jksic.nic.in

File No: SIC-CO/SA/97/2013

Decision No: SIC-CO/SA/97/2013/591

Title: Sh Mohd Sharief Mir S/o Gul Mir R/o Kadalbal Pampore

V/s

PIO/Urban Local Bodies Kashmir

Srinagar
25.02.2014.

This is a second appeal by Sh. Mohd. Sharief Mir S/o Lt. Gul Mir a resident of the State. The appeal has been heard from time to time. The information sought was limited to the extent of providing a copy of order which had stopped officers of Directorate of Urban Local Bodies Kashmir and Municipal Committee Pampore to take action against alleged encroachers at Kadalbal Pampore wherein it is claimed that orders were passed for removing the unauthorized construction on a

land of 8 marlas. The appellant states that AIG Headquarters for Commissioner of Vigilance Srinagar vide letter No. SVO/Munic-Co-32/06-11720 dated 22.09.2006 has directed Director Local Bodies Kashmir to look into the matter and take necessary action. In pursuance of this letter dated 22.09.2006 of Vigilance Organization issued directions to Director Urban Local Bodies Kashmir whereby he was asked to take immediate action under an intimation to the Vigilance Organization.

PIO from Urban Local Body Authorities states that RTI application was sent to Housing & Urban Dev. Department Secretariat who in turn forwarded it to PIO/Urban Local Bodies Kashmir on 26th September 2013 which was received by PIO on 07.10.2013. PIO passed order on 26.10.2013 which is within time under Section 6. PIO submitted that the appellant was informed from time to time that there was no order vide which Director Local Bodies Kashmir and Municipal officers did not take action on the basis of direction from the Vigilance Organization. The appellant has alleged that if there was any order in existence or on record that be communicated to him clearly and if there is no such writing on record that may also be intimated.

The Commission has gone through the record and has found that there is an ambiguity in various communications sent by the authorities to the appellant. PIO is directed to issue a fresh order clearly informing the appellant whether any officer of Urban Local Bodies Kashmir or Municipal Committee was stopped by any order from implementing directions of Vigilance Organization. This clarification/information be given to the appellant in the shape of an affidavit

within 8 days from the pronouncement of this order i.e. today which the PIO has agreed in order to dispel the feelings of the appellant that information is being suppressed. The appellant has further stated that he also filed Ist Appeal before Ist Appellate Authority of Housing & Urban Dev. Department-Secretariat. The appeal was addressed wrongly because PIO of that organization had already informed him that the information is held by PIO of Directorate of Urban Local Bodies Kashmir i.e. field formation, a fact which was already communicated to the appellant by authorities in the Secretariat. Hence in the considered opinion of the Commission this is an-fructuous appeal. No ground of appeal arises on account of this appeal which is not addressed to the designated authority. The appeal is accordingly disposed of.

Sd/-
(G.R. Sufi)
Chief Information Commissioner

Copy to the:-

1. First Appellate Authority, Housing & Urban Development Department, Civil Secretariat, Jammu.
2. Deputy Director cum PIO Urban Local Bodies, Kashmir.
3. Sh. Mohammad Sharief Mir S/o Gul Mir R/o Kadalbal Pampore.
4. Guard file.

(M.S. Bhat)
Deputy Registrar,
J&K Public Service Commission