



J&K State Information Commission
(Constituted under Right to Information Act 2009)
Old Assembly Complex, Srinagar, Fax No. 0194-2506661/2506662
Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937
www.jksic.nic.in

File No: SIC/J/A/91/2015
Decision No: SIC/J/A/91/2015/153

Sh.Sonu Singh Present	Appellant
Sh.Sunil Bhasin, Technical Officer to Chief Engineer Present Irrigation and Flood Control,Jammu.	PIO
Tehsildar Settlement, Absent Jammu	PIO

Jammu
12.08.2015

Briefly the facts in this appeal are that Sh. Sonu Singh, S/O S.Harbajan Singh, R/O Camp Gole Gujral, Talab Tillo, Jammu moved an application dated 17.04.2015 before the PIO/Flood & Control Department,

Jammu under the Jammu & Kashmir Right to Information Act, 2009 whereunder he sought certain information relating to Kh.No.746, Patwar Halqua Gole, near Revenue Complex, Camp Gole Gujral, Jammu which is as under:

1. The above said land comes under flood zone/danger, zone or not.
2. Which kind of building premises like Hospital, Hotels, Schools and Orphanage are restricted to construct under flood zone/danger zone.

The PIO/Executive Engineer, Flood Control Division, Jammu after receiving the application of the information seeker vide office No.FCDJ/708-09 dated 12.05.2015 furnished the requisite information to the information seeker and also requested the information seeker to provide sketch/map showing land under Kh.No.746 near Revenue Complex Gole Gujral alongwith details of spot/building for which the said information is sought. The PIO also requested the Tehsildar, Settlement, Jammu vide office No.FCDJ/530-31 dated 02.05.2015 for demarcation of Kh.No.746, Patwar Halqua, Gole near Revenue Complex, Camp Gole Gujral, Jammu so that the information sought by the information seeker can be provided to him within the stipulated period. The PIO did not receive any response from the office of the Tehsildar, Settlement, Jammu. Meanwhile, the appellant filed first appeal before the Flood Control Department, Jammu which was disposed of vide office No.SE/HYD/2829-32 dated 26.06.2015 with the observation that the information sought by the applicant has to be obtained from the Revenue Department, Tehsildar Settlement, Jammu's office and as such it could not be provided within the stipulated time, so far as reply to the query No.1 is concerned, whereas regarding query No.2, the PIO was directed to provide the information on or before 05.07.2015 positively.

The appellant feeling aggrieved of the aforesaid order, filed second appeal dated 16.07.2015 before the Commission. After receiving the second appeal, the matter was listed for hearing on 12.08.2015. Both the parties

were present. During the course of proceedings held today, the PIO/Executive Engineer, Flood Control Division, Jammu apprised the Commission that the appellant be asked to clarify the boundaries/area of Kh.No.746, Patwar Halqua, Gole near Revenue Complex, Camp Gole Gujral, Jammu and only after the identification of the aforesaid Khasra Number, the information relating to quarry No.1 can be provided.

In view of the submissions made by the PIO, the appellant is advised to clarify the boundaries/area which falls under Kh.No.746, Patwar Halqua, Gole near Revenue Complex, Camp Gole Gujral, Jammu in order to facilitate the PIO to provide the requisite information sought by him. The appellant submitted before the Commission that he will provide the requisite details to the PIO as early as possible and the PIO assured the Commission that after receiving the clarification relating to quarry No.1, the information sought by the information seeker will be provided to him free of cost and sought 20 days time to do the needful, as the information has to be collected from another office falling under the jurisdiction of Flood Control Department.

In view of the aforesaid facts and observations, the PIO/Executive Engineer, Flood Control Division, Jammu is hereby directed to furnish the revised information to the information seeker after receiving the clarification of the contents of the RTI application within 20 days 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

Vishwa

Copy to the:

1. Sh. Sonu Singh, S/O S.Harbajan Singh, R/O Camp Gole Gujral, Talab Tillo, Jammu.
2. Sh.Sunil Bhasin,
3. Technical Officer to Chief Engineer, Irrigation and Flood Control, Jammu.
4. Tehsildar Settlement, Jammu.

Commissioner

J&K

(Khalid A. Shah)
Deputy Registrar,
State Information