



Jammu and Kashmir State Information Commission
(Constituted under Right to Information Act 2009)
Old Assembly Complex, Srinagar, Fax No. 0194- 2506660, 2506661
Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520927, 2520937, 250947-F
www.jksic.nic.in

File No: SIC/J/A/258/2016
Decision SIC/J/A/258/2016/284

Sh. Shamir Ahmed

... (Appellant)

V/s

FAA/PIO: PWD(R&B), Jammu.

...(Respondents)

Date of Institution : 11.02.2016
Date of Decision : 07.04.2016
Decision : Appeal disposed of.

Sh. Uttar Kumar Sharma, Executive Engineer, PWD(R&B) Construction Div. No. II, Jammu-cum-PIO and appellant Sh. B.R. Nandan attended the Commission.

Brief facts:

Appellant filed second appeal on 11.02.2016 under Section 16(4) of J&K RTI Act, 2009 against FAA/S.E., PWD (R&B), Jammu Kathua Circle, Jammu and PIO, Chief Executive Engineer, PWD (R&B), Construction Division No. II, Jammu, submitting that he filed RTI application on 20.11.2015, before PIO seeking information regarding roads in Panchayat Bain Bajalta. Copy of RTI application alongwith postal order is enclosed. That appellant received reply

from the PIO vide letter dated: 21.12.2015. That information provided by the PIO was incomplete and deficient in following respects:

- a) That at Point-3 appellant has sought information in respect of roads sanctioned since 1996 which have been completed, but PIO has given information only in respect of roads which are incomplete and under construction.
- b) That PIO has not supplied expenditure incurred on Bajalta Poonch Colony Road and Mohalla Mohd Ali Road.
- c) That as per the information of the appellant, Bajalta to Mohalla Zafar Ali & Inayat Ali road also constructed by PWD, but PIO has not given information in respect of these roads.
- d) That PIO has provided unattested copies of the maps, showing alignment of the roads constructed in Panchayat Bain Bajalta.

Aggrieved by the above reply of PIO, appellant preferred appeal on 08.01.2016 before FAA/SE, PWD(R&B), Jammu-Kathua Circle, Jammu, which has been disposed of by FAA on 25.01.2016.

In view of above, he has prayed that order of FAA dated: 25.01.2016 be set aside and respondent No.1/PIO be directed to provide revised and complete information as per deficiency stated hereinabove and impose penalty upon respondent No.1.

As per documents enclosed with the appeal, RTI application has been filed by appellant on 20.11.2015, before PIO, O/o Chief Engineer, PWD, Jammu, seeking information on five points regarding construction of roads in Panchayat Bain Bajalta since January 1996 till date. This RTI application has been transferred by Chief Engineer, PWD(R&B), Jammu to Executive Engineer, PWD (R&B) Const. Div. II, Jammu vide letter dated: 20.11.2015. The RTI application has been responded to by Mr. Uttar Kumar Sharma, Executive Engineer on 21.12.2015, wherein he has provided information in respect of six roads, sanctioned in Panchayat Bain Bajalta since January, 1996. The PIO has provided information in the tabular form giving name of road, length (in Kms.),

expenditure and status of construction, which shows that all these roads are under execution. Therefore, apparently information provided by PIO is relevant to the information sought by appellant. Further, PIO has given response within period prescribed under the Act. However, the issues raised by appellant as listed at para-1(a, b, c, & d) have not been replied by PIO as he has not filed counterstatement.

In view of above, PIO/ Executive Engineer, PWD(R&B), Construction Div. II, Jammu is directed to provide further information in respect of deficiencies pointed out by appellant, as per records.

The appeal is disposed of with above directions to be complied within two weeks, under an intimation to the Commission.

Sd/-
(Er. Nazir Ahmed)
State Information Commissioner

Copy to the

1. FAA-cum- Superintending Engineer, PWD(R&B) Jammu-Kathua Circle, Jammu.
2. PIO-cum- Executive Engineer, PWD(R&B) Construction Div.No.II, Jammu.
3. Appellant: Shamir Ahmed, S/O Sh. Ahmed Ali, R/O Bain Bajalta, Tehsil & District Jammu

(Renu Mahajan)
Joint Registrar,
J&K State Information Commission