



Jammu and Kashmir State Information Commission
(Constituted under Right to Information Act 2009)
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File No: SIC/J/A/269/2016
Decision SIC/J/A/269/2016/292

Sh. Sunil Verma

... (Appellant)

V/s

FAA/PIO: O/o CE,PDD,M&RE Wing, Jammu.

...(Respondents)

Date of Institution : 08.03.2016
Date of Decision : 25.04.2016
Decision : Appeal disposed of.

Mr.Roshan Lal, Executive Engineer, Elect. Workshop Division, Jammu-cum-PIO, Ms.Surichi Gupta, AEE on behalf of CE,EM & RE Wing, PDD, Jammu and appellant Mr.Sunil Verma attended the Commission.

Brief facts:

Appellant filed second appeal on 08.03.2016 under Section 16(4) of J&K RTI Act, 2009 against the order of FAA/CE, EM& RE Wing, Jammu dated:23.02.2016. The appellant has submitted that he filed RTI application before PIO/Executive Engineer, PDD Central Workshop Division, Narwal Near RTO Office, Jammu dated: 28.12.2015, seeking information on 15 points about PDD Central Workshop. That he filed first appeal before FAA/Chief Engineer,

PDD, M&RE Wing, Canal Power House, Jammu on 29.01.2016. That Chief Engineer vide office letter dated: 03.02.2016, directed Superintending Engineer, (FAA), Elect. M&RE Circle-Ist, Jammu to provide information as per RTI application. That FAA/SE, EM&RE Circle-Ist., Jammu vide communication dated: 23.02.2016 has provided information which is incomplete. That feeling aggrieved of the non-action of the PIO as well as FAA who had not provided complete requisite information, he is constrained to knock the doors of the Commission for the redressal of his grievances.

In view of above, he prayed that PIO/FAA to be dealt in accordance with provisions of RTI Act, 2009.

In response to the notice of the Commission, PIO/Executive Engineer, Elect. Workshop Div., Jammu has filed counterstatement/reply to the second appeal dated: 22.04.2016, with copy to appellant Sh. Sunil Verma inter-alia submitting that application seeking information under RTI Act, 2009 dated:28.12.2015, was received on 13.02.2016 through FAA. That for delay Executive Engineer sought reply about non-receipt of the document from the Postmaster, University Camps, Jammu vide letter dated: 23.02.2016(copy enclosed). That signature on the receipt book of post office sent through postman did not match either with the receipt clerk or any other officers/officials of the Division. That PIO and appellant were asked to appear before the FAA on 23.02.2016, wherein point-wise reply of part of information was submitted through FAA, seeking extension in time period of two months, as the quantum of information sought by the appellant was difficult to be furnished within one month. That PIO requested FAA for engaging a retired official for sorting out/furnishing the records, as the post of Account Assistant is not sanctioned. PIO also requested FAA to direct the appellant to deposit an amount of Rs.20, 000/- as honorarium for engagement of Account Assistant.

Proceedings:

Heard appellant Sh. Sunil Verma and PIO/Executive Engineer, Elect. Workshop Div., Jammu and perused information provided by Executive Engineer.

As per documents enclosed with the appeal, RTI application received by PIO through FAA on 13.02.2016, has been responded to by Executive Engineer vide letter dated: 23.02.2016, addressed to SE,EM&RE Circle-I, Jammu with copy to appellant. The PIO has been responded to all the 15 points of RTI application and enclosed Annexure-I, II, and III. PIO further informed that quantum of the information/documents sought by the appellant for the last seven years as per Sl.Nos.6,11,12,13 and 14 of the application cannot be accessed within one month as per the Act.

The Commission have perused the information sought at Point-6,11,12,13 and 14 and is of the considered view that information sought are not specific as provided under Section 6(1)(b) of the RTI Act, 2009. Further, compilation in information for a period of around seven years shall disproportionately divert the resources of the public authority as per the provisions of Section 7(9) of the Act.

In view of above, Commission directs the PIO/Executive Engineer, Elect. Workshop Div., Jammu to allow appellant for inspection of relevant records in respect of these points for last two years within two weeks and allow him to take relevant extracts. Compliance report in this regard be filed within two weeks.

With these observations, 2nd appeal is disposed of.

Sd/-

(Er. Nazir Ahmed)

State Information Commissioner

Copy to the :

1. Chief Engineer-cum-FAA, EM &RE Wing, Jammu.
2. Executive Engineer-cum-PIO, Elect. Workshop Division, Jammu.
3. Appellant Mr. Sunil Verma, S/O Late Sh.H.R.Verma, R/O C-6, Nadish Apartment, Trikuta Nagar, Jammu.

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