



Jammu and Kashmir State Information Commission

شنیشن کمیٹی انفارمیشن اسٹیٹسٹونڈ کشمیر جموں ا

(Constituted under The Right to Information Act, 2009)

Wazarat Road, near DC Office Jammu, 0191-2520947, 2520937

Old Assembly Complex, Srinagar, 0194-2506660, 2506661

www.jksic.nic.in

File No. SIC/K/Comp/19/2015

Decision No. SIC/K/Comp/19/2015/09

Appellant : Sh. Syed Naqi Shah S/ o Syed Sadiq Shah
R/o Inderkote Sumbal Sonawari

Respondent : PIO/Xen I&FC Division Sumbal, Sonawari

Date of Hearing : 21.04.2016

Date of Decision : 21.04.2016

Brief facts of this case are that Syed Naqi Shah filed a complaint dated 30.10.2015 regarding non-compliance of decision No.SICK/CAMP/19/2015/59 dated 06.08.2015 of State Information Commission. This complaint was received on 21.11.2015, wherein he has submitted that as per decision dated 06.08.2015, PIO I&FC Division Sumbal has been directed by the Commission to provided transfer order copy of JE Gh. Hassan Bhat prior to one already provided and the information relating to developmental works mentioned at Para 2 & 3 of the decision. Further, PIO has been directed to send the required information through prescribed mode of services.

The Complainant has alleged that neither the transfer order of JE nor the information pertaining to developmental works has been received through prescribed mode of services till date.

In reply to the complaint, Xen I&FC Division Sumbal vide letter dated 23.11.2015 submitted that factual status of the case has been submitted vide letter dated 23.10.2015. That information as per orders of the Hon'ble Commissioner SIC has been issued to the RTI application against proper hand receipt. The details of information supplied to the complainant is mentioned in this letter. That RTI applicant is taking recourse of the RTI solely for his personal benefits. Xen has further stated that his office shall readily provide more information to the RTI applicant, if needed. Xen vide letter dated 23.10.2015 as referred to above, has filed reply to the complaint interalia stating that information has been supplied to the RTI applicant under intimation to the Commission vide letter dated 07.08.2015 and 17.09.2015 as under:-

1. Complete list of 140 works allotted for the year 2014 (Abstract)
2. Complete list of works executed under SDRF (Abstract)
3. Details, estimates, drawings, authority, agreements, allotments, for the year 2014-15 under SDRF—192 leaves.
4. 01 No. of Trnasfer order copy of I/C AEE Sh. Ghulam Hassan Bhat.

This information has been received by representative/son of the complainant Mr. Syed Musadiq Shah, who admitted to have received the information.

The complaint has been filed on the ground that complainant has not been given any information through prescribed mode till date of filling of the complaint on 30.10.2015. However, the son of the applicant and his authorized representative Syed Musadiq Shah admitted before the Commission that he received the information from Xen I&FC Division Sumbal on 13.08.2015 comprising of 201 leaves, out of which information pertaining to details of SDRF works including bills is 192 pages. Therefore, the allegation made by the complainant that he has not received the information is mis-leading and not based on facts.

During proceedings, the representative of complainant submitted that he has not received copy of vouchers of SDRF works and previous order of the JE referred to in his RTI application at Point 1.

As regards vouchers of SDRF works, Xen submitted that copy of bills have been received by him, which are passed vouchers of SDRF works. The Commission asked the representative of complainant to provide evidence as to in which respect the information is incomplete. However, he could not put forth any evidence in support of his allegations. In so far the order copy of JE is concerned, Xen submitted that the complainant has been provided copy of order No. 8-E of 2014 dated 25.10.2014 in respect of Mr. Ghulam Hassan Bhat I/C AE from Irrigation Construction Division Pampore to Irrigation Construction Division Sumbal. The complainant submitted that transfer order of Gh. Hassan Bhat JE/AE prior to this order (25.10.14) has not been provided to him.

In view of the above, Xen is directed to provide the previous order of JE/AE within 10 days as per records.

With the above directions, the complaint filed before the Commission is disposed of.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the:-

1. Xen I&FC Division Sumbal Sonawari
2. Pvt. Secy to HSIC (K)
3. Sh. Syed Naqi Shah S/ o Syed Sadiq Shah R/o Inderkote Sumbal Sonawari

(M S Bhat)
Dy. Registrar,
State Information Commission
J&K Srinagar