



Jammu and Kashmir State Information Commission

شہن ی کم شہن ی انفارم ٹی اسٹ ری کشم نڈی ا جموں

(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/J/SA/276/2016

Decision No. SIC/J/SA/276/2016/14

Appellant : Mr. Pyara Krishan

Respondents : Executive Engineer) PWD (R&B)
Division Kathua

Date of Registration : 18.03.2016

Date of Decision : 02.05.2016

The appellant filed Second Appeal before the Commission on 18.03.2016 stating that he filed an application under J&K RTI Act, 2009 before PIO (Executive Engineer) PWD (R&B) Division Kathua, seeking certain information, which was sent through Registered Post on 06.11.2015. That PIO provide some information vide letter dated 04.12.2015 which was not as per subject of his RTI application. That he preferred First Appeal before FAA (Superintending Engineer) PWD (R&B) Jammu-Kathua Circle Jammu through Registered Post on 04.01.2016. That FAA instead of making a decision in respect of incomplete information provided by PIO, directed the PIO to visit the site and solve the matter vide letter dated 22.01.2016. That PIO accordingly visited the spot on 27.01.2016 but since then no further action has been taken either by the PIO or the FAA to furnish the

complete information. The appellant has requested that Commission that concerned PIO may kindly be directed to provide him the complete information and the defaulting officers may be dealt with in accordance with provisions of RTI Act.

In response to the notice of the Commission 25.04.2016, Er. Pushotam Kumar, Executive Engineer PWD (R&B) Division Kathua filed reply vide letter 18.04.2016 interalia submitting that the RTI application dated 07.11.2015 was responded vide letter 04.12.2015 within prescribed period of 30 days. That applicant approached FAA/Superintending Engineer PWD (R&B) Jammu-Kathua Circle and FAA called both the parties on 22.01.2016 and directed him to visit the spot so that the grievances, if any of the appellant are sorted out at site. That he visited the site along with field staff on 27.01.2016 and appellant Sh. Pyara Krishan. That during the site discussion all the issues were sorted out except issue of construction of drain along his boundary wall.

PIO/Xen PWD(R&B) Division Kathua was heard via Video Conference in DC Office Kathua today on 02.05.2016. The appellant was also asked to attend the hearing through Video Conferencing in DC Office Kathua but he did not attend on the scheduled time. PIO submitted that counter reply to the second appeal has been sent to the Commission on 18.04.2016.

On perusal of the information provided by the PIO vide letter dated 04.12.2015 vis-à-vis information sought in the RTI application, it is held that except at Point-6, PIO has given specific information in respect of all other Points of the RTI application. On the other hand, appellant has not substantiated as to in which respect information provided to him was “not complete” as alleged in his Second Appeal.

It is further to clarify that redressal of grievances and fulfilling demands of public are not covered under the definition of “Right to Information”. PIO is obliged to furnish information as per records held by him.

In view of above, the appeal filed before the Commission is disposed of with directions to PIO to provide specific information with regard to Point-6 as per records/as maintained on site and also send a copy of reply to Second Appeal dated 18.04.2016, within two weeks.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the: -

1. Executive Engineer PWD (R&B) Division Kathua.
2. Private Secretary to Hon’ble State Information Commissioner (Kashmir).
3. Mr. Pyara Krishan s/o Mr. Ram Chand r/o Ward No. 2, Hiranagar, Jammu.

(M.S. Bhat)
Deputy Registrar,
State Information Commission,
Srinagar.