



Jammu and Kashmir State Information Commission

شہنیشن کمیٹی انفارمیری اسٹیٹ کاشمیر 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/J/A/07/2017

Decision No. SIC/J/A/07/2017/18

Final Order

- Appellant : Sh. Kailash C. Raina
R/o. H.No. 237 B/C Christian Colony,
Residency Road, Jammu.
- Respondents : First Appellate Authority (FAA)/Director, Urban
Local Bodies, Jammu and Public Information
Officer (PIO)/Executive Officer, Municipal
Committee, Doda.
- Date of Registration : 19.05.2017
- Date of Decision : 15.06.2017

Brief Facts:

This is a second appeal filed under section 16 (4) of the J&K Right to Information Act, 2009 in the J&K State Information Commission by one Sh. Kailash C. Raina, R/o. H.No. 237 B/C Christian Colony, Residency Road, Jammu admitted on 19.05.2017. The appeal is against the alleged non-furnishing of the requisite information by the PIO. The appellant in his original RTI application dated: 22.09.2016 has sought the following information from the PIO/Executive Officer, Municipal Committee, Doda:

1. Detail of revenue generated for the year 2014 to 2015 and upto September, 2016.
2. Works done from the revenue generated by the Municipal Committee Doda, District Doda.
3. Payments made on vouchers of the above mentioned years.
4. Detail estimates of the works and technical/estimates approved and the authority to pass the bill of such works.
5. Clearance of Nallahs and Drains, send master sheets alongwith estimates technically checked.
6. How may works were allotted without calling the tenders, amount wise. If works were allotted by calling the tenders, send the paper cutting of the newspapers.

Aggrieved by the alleged non response of the PIO, the appellant preferred First Appeal before the FAA/Director, Urban Local Bodies, Jammu on 05.12.2016 which was disposed of by the FAA vide order dated: 21.01.2017 with the direction to the Executive Officer (PIO) MC, Doda to provide the information as per records to the applicant without charging any additional fees within a period of 15 days from the date of receipt of the order.

Proceedings:

In response to the notice of the Commission dated: 01.06.2017 FAA/Sh. Arun Kumar Sharma, KAS Director, Urban Local Bodies, Jammu has filed reply/counter statement vide his letter dated: 12.06.2017 interalia submitting that he had disposed of the First Appeal vide order dated: 21.01.2017 directing the PIO/Executive Officer, Municipal Committee, Doda for providing the information to the appellant within 15 days.

The second appeal was listed for hearing on 15.06.2017. The PIO/Executive Officer, Municipal Committee, Doda was heard through Video Conferencing from Doda whereas FAA/Director, Urban Local Bodies, Jammu and the appellant attended the hearing at Jammu office of the Commission. During hearing, the PIO submitted that the information sought by the appellant has already been compiled and dispatched through ordinary post. The appellant denied receipt of any information till the date of hearing i.e. 25.06.2017.

Decision/Directions:

The Commission after going through the record available on file and arguments put forth by both the parties directs the FAA/Director, Urban Local Bodies, Jammu to collect the requisite information from the PIO, Municipal Committee, Doda within 15 days from the date of receipt of this order and provide the same to the appellant. The appellant is also directed to contact the FAA to receive the requisite information compiled by the PIO/Executive Officer, Municipal Committee, Doda.

The second appeal is accordingly disposed of.

Copy of this decision be given free of cost to the parties.

Sd/-

(Khurshid A. Ganai) IAS Retd.
Chief Information Commissioner
J&K State Information Commission

No: SIC/J/A/07/2017_____

Dated: . .2017

Copy to:

1. Registrar, J&KSIC for information and necessary action.
2. FAA/Director, Urban Local Bodies, Jammu for information and necessary action.

3. PIO/Executive Officer, Municipal Committee, Doda for information and n/a.
4. Private Secretary to HCIC for information of the HCIC.
5. Appellant/Sh. Kailash C. Raina, R/o. H. No. 237 B/C Christian Colony, Residency Road, Jammu for information.
6. Office file.

(Dr.Gh.Mohi-Ud-Din)
Joint Registrar
J&K State Information Commission