



Jammu and Kashmir State Information Commission

(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/98/2017

Decision No. SIC/J/A/98/2017/111

Final Order:

Appellant : Sh. G.N Kamlak, S/o Ghulam Mohammad
R/O Manyal P.O & Tehsil Thanna Mandi, District
Rajouri.
Respondent : FAA/PIO, PHE Department Rajouri.
Date of Registration : 20.09.2017

Date of decision : **08-01-2018**
Decision : Appeal disposed of.

Proceedings before the State Information Commission(SIC):

The 2nd appeal came up for hearing before the State Information Commission today on 08-01-2018. The hearing was attended by Sh. Mohammad Rafiq Khan, Superintending Engineer/First Appellate Authority (FAA) Hydraulic, Rajouri, Sh. Nisar Hussian Khan, Executive Engineer/Public Information Officer (PIO), PHE, Sub-Div. Rajouri. The appellant did not cause his appearance despite due notice. However, he has filed a rejoinder to the information supplied by the PIO to him, wherein the appellant has expressed his dissatisfaction with the reply provided by the PIO in respect of point no. 1 and 2. He is satisfied with the rest of the information provided to him. In respect of point no. 1 & 2, the appellant has stated that he had sought the list of casual laborers recently submitted by the PIO upto 23-02-2017 i.e the date of RTI application but the PIO has provided him the list submitted in the year 2013. The appellant has also stated he had sought by way of point no. 2 the communication made by the PIO to

Chief Engineer while as he has been provided the communication made by Chief Engineer to Commissioner/Secretary, PHE. Therefore, the information provided to him in respect of point no. 1 & 2 is misleading.

The PIO and the FAA submitted before the SIC that the appellant had vide his RTI application dated 23-02-2017 sought list of casual laborers of Sub-division Rajouri upto the date of application. The appellant has been provided the list of casual labourers totaling 434 which was submitted to the Government in the year 2013. Between 2013 and 23-02-2017 no other list was submitted by the PIO to Government. Therefore, the list submitted in 2013 was the only list submitted to the authorities upto 23-2-2017 i.e the date when the appellant sought information. Therefore, there is no question of providing incomplete or false or misleading information to the appellant. The PIO also clarified before the Commission that no list of casual labourers was submitted by the PIO or the FAA to the higher authorities between 2013 and 23-02-2017. As regards the communication made by the PIO to Chief Engineer, the PIO submitted that vide his letter no. SEHR/PHE/IGE-9/851-52 dated 17-07-2013, the SE, Hydraulics Circle Rajouri (FAA) forwarded the bio-data of 434 need based workers submitted by Executive Engineer, PHE Division, Rajouri to Chief Engineer, PHE, Jammu for necessary action. This communication has been provided to the appellant in addition to the communication made by Chief Engineer to the Commissioner/Secretary, PHE I&FC Department. Therefore, nothing has been concealed by the PIO in the reply furnished to the appellant.

Decision:

After hearing the PIO and FAA and after going through the rejoinder filed by the appellant, the Commission is satisfied that the information sought by the

appellant through his RTI application dated 23-2-2017 has been furnished to the appellant. The issues raised by the appellant through his rejoinder in this regard have been satisfactorily clarified by the FAA and PIO. After the information so provided and the clarifications so made by the PIO and the FAA, there should be no reason for the appellant not to be satisfied with the information supplied.

The 2nd appeal is accordingly disposed of without any further directions/order.

-sd-

(Mohammad Ashraf Mir),
State Information Commissioner,
J&K State Information Commission.
/imi/

No. SIC/J/A/98/2017

Dated: / /2018.

Copy to the:

- 1 First Appellate Authority (FAA) Superintending Engineer, Hydraulic Circle, Rajouri for information.
- 2 Public Information Officer (PIO), Executive Engineer, PHE, Division, Rajouri for information.
- 3 PS to SIC for information of HSIC.
- 4 Sh. G . N . Kamlak S/O Sh. Ghulam Mohammad R/O Manyal P.O & Tehsil Thanna Mandi District Rajouri.
- 5 Guard file.

(Reeta kaul)
Dy. Registrar,
J&K State Information Commission