



Jammu and Kashmir
(Constituted under 1
Wazarat Road, near DC Office Jammu, 0191-2520947, 2520937
Old Assembly Complex, Srinagar, 0194-2506660, 2506661

tion Commission
nation Act, 2009)

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File No. SIC/K/SA/49/2018
Decision No. SIC/K/SA/49/2018/ **55**

Final Order

Appellant : Sh. Gh. Rasool Bhat

Respondents : FAA/ Chief Engineer, I&FC
Department, Kashmir, PIO/
Executive Engineer, Mechanical
Irrigation Division Shadipora Sumbal,
Sonawari, Bandipora

Date of Registration : 09.07.2018

Date of Decision : 06.07.2018

This 2nd appeal has arisen out of the RTI application dated 22.12.2017 filed by applicant Sh. Gh. Rasool seeking information from PIO/Executive Engineer, Mechanical Irrigation Division, Shadipora, Sumbal, Sonawari with regard to attendance sheet from 2006 and other documents, order in which the applicants name was mentioned. As the information

was not provided to the appellant within the specified period, he filed First Appeal in the O/O Mechanical Irrigation Division, Shadipora, Sumbal, Sonawari on 02.02.2018. Subsequently, the appellant filed 2nd appeal before the Commission on 09.04.2018 claiming thereunder that the PIO has not provided information to him and also that the FAA did not dispose of the First Appeal within the specified period. Therefore, he prayed that the information sought by him may be provided. The 2nd appeal came up for hearing before the Commission today on 06.07.2018. Besides the appellant, Mr. B A Kuchay, Technical Officer to Chief Engineer, I&FC Department, Kashmir, Mr. Sunil Bajaj, PIO/Executive Engineer, Mechanical Irrigation Division, Shadipora, Sumbal, Sonawari attended the hearing. The PIO submitted that he has been given the additional charge of Mechanical Irrigation Division, Shadipora in the last week of April, 2018 on the retirement of the then PIO. He came to know about the pendency of RTI application after he received the notice of the Commission dated 25.08.2018. Accordingly, the PIO assured the Commission that he will prepare the reply and furnish the same to the appellant within a period of 20 days. The

hearing was accordingly adjourned with a direction to the PIO to furnish the information to the appellant within the aforesaid period.

The 2nd appeal again came up for hearing today on 06.07.2018. The PIO informed the Commission that in pursuance of the last directions given by the Commission, he has furnished the information to the appellant on 09.06.2018. In the said information, the Muster sheets have been provided to the appellant. The appellant acknowledged the receipt of the information. However, he submitted that the PIO has provided him the Muster sheets for the years 2007 to 2011. He further submitted that he had sought attendance/Muster sheets for the years 2006 to 2012. Therefore, the information provided by the PIO is incomplete in so far as the Muster sheets of the year 2006 and 2012 have not been provided to him. The PIO assured the Commission that the remaining Muster sheets for the year 2006 and for the year 2012 would be provided to the appellant within a period of 20 days from today. The appellant submitted that he will be satisfied with the information if the remaining Muster sheets for the year 2006 and 2012 are provided by the PIO.

The appeal is accordingly disposed of with a direction to the PIO to provide copy of Muster sheets for the year 20016 and for the year 2012 to the appellant within a period of 20 days from today. In case the said information is not provided to the appellant within the aforesaid period, he shall be at liberty to file a complaint before the Commission under Section 15 of the Act.

(Mohammad Ashraf Mir)
State Information Commissioner

Copy to the:

Sd/-
(Mohammad Ashraf Mir)
State Information Commissioner

Copy to the:

1. FAA/ Chief Engineer, I&FC Department, Kashmir
2. PIO/ Executive Engineer, Mechanical Irrigation Division
Shadipora Sumbal, Sonawari
3. Appellant—Sh. Gh. Rasool Bhat S/o Mohammad Sultan
Bht R/o Dngerpora Sumbal Sonawari Bandipora

(Sheikh Fayaz Ahmad)
Registrar
J&K State Information Commission