



Jammu and Kashmir State Information Commission  
(Constituted under Right to Information Act 2009)  
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[www.jksic.nic.in](http://www.jksic.nic.in)

File No. SIC/J/A/39/2018

Decision No. SIC/J/A/39/2018/290

### **Final Order**

Appellant : Shri Rajeshwar Singh  
Social & RTI Activist,  
R/o House No. 266 Street No. 10  
Shakti Nagar Jammu

Respondent : FAA Chief Engineer, PW(R&B)  
Department, Jammu

PIO, O/o Chief Engineer, PW(R&B)  
Department, Jammu

D . O . R : 08-05-2018

Date of decision: **29-08-2018**

Decision : Disposed of

The present appeal has originated from the RTI application filed by the Shri Rajeshwar Singh on 28.12.2017 with the PIO, O/o Chief Engineer, PW(R&B) Department, Jammu, seeking following information:

- i) *Provide copy of RTI applications and replies by PIOs having No. ID/RTI application*

*Number and date mentioned in the reply of current financial year*

- ii) Provide copy of RTI applications and their replies having no name and email ID of PIO / deemed PIO of the period stated above.*
- iii) Provide copy of RTI applications and their replies not containing "that the first appeal if any against the reply of the PIO/ deemed be addressed to FAA within 30 days of receipt of reply of above said period*

*Also in the reply name, designation and mailing address of the First Appellate Authority not provided of above said period*

- iv) Copy of FAA orders having their diary no and date of receipt alongwith copy of appeal and its annexures which were not honoured by PIO / deemed PIO during January 2016 to till date 2017.*

PIO O/o Chief Engineer, PW(R&B) Department Jammu informed the applicant that the information sought by him does not fall under the ambit of the RTI Act. The appellant thereafter filed the first appeal before the First Appellate Authority / Chief Engineer, PW(R&B) Department Jammu on 27.01.2018 which was not disposed of by the FAA. Hence he filed the 2<sup>nd</sup> appeal before the State Information Commission on 08.05.2018.

The appeal came up for hearing before the Commission today on 29<sup>th</sup> August 2018. PIO Shri Rajesh

Gupta, O/o Chief Engineer PW(R&B) Department Jammu was present and attended the hearing. Shri Rajeshwar Singh the appellant was also present and attended the hearing. PIO submitted that since the information sought by the appellant through his RTI request does not fall within the ambit of the RTI Act, therefore, the applicant was informed accordingly and the RTI request was returned. The appellant submitted that he wanted to know details of all RTI applications filed by different applicants before the PIO and replies furnished by the PIO in such matters alongwith copies of first appeals filed by different applicants from January 2016 till the date of filing of his RTI request. While going through the basic RTI application of the appellant dated 20.12.2017, it has been found that no specific information has been sought by the appellant. He has sought copies of all RTI applications filed with the PIO, O/o Chief Engineer, PW(R&B) Department Jammu and copies of all replies furnished in response to all such RTI applications besides copies of first appeal and replies thereof. Such details cannot be termed as information within the meaning of Section 2(d) of the RTI act. Besides, the applications filed by others and replies furnished to them amount to third party information cannot be given to the present appellant

without seeking the agreement of such third parties. The appellant, on being asked to show the existence of public interest in disclosure of information relating to RTI applications and replies thereto filed by others, he failed to show any such public interest. The order of the PIO, O/o CE PW(R&B) Department Jammu dated 26.12.2017 rejecting the RTI application on the ground that the information sought does not fall within the ambit of RTI Act is, therefore, upheld. The appeal is accordingly dismissed.

Sd/-

(Mohammad Ashraf Mir)

State Information Commissioner

Dated. .09.2018

No. SIC/J/A/39/2018

Copy to the:

1. FAA Chief Engineer, PW (R&B) Department, Jammu, for information.
2. PIO, O/o Chief Engineer, PW (R&B) Department, Jammu for information and compliance.
3. Sh. Rajeshwar Singh, (Social & RTI Activist), H.No. 266, Street No. 10, Shakti Nagar, Jammu.
4. Office file.

(Zaheer Abbas)

Assistant Registrar

State Information Commission