



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/70/2018

Decision No. SIC/J/A/70/2018/320

Final Order

(Second Appeal)

Appellant : Sh. Surinder Kumar.

Respondents : First Appellate Authority (FAA)/
Public Information Officer (PIO)/
O/O Jammu Municipal Corporation (JMC),
Jammu.

Date of Registration : 25.06.2018.

Date of Decision : 24.09.2018.

Brief Facts:

The present appeal has originated from RTI application filed by applicant Sh. Surinder Kumar on 27.12.2017 with the PIO/Secretary, JMC, Jammu seeking information on 10 points. The PIO furnished information to the applicant vide his letter dated: 15.01.2018. The applicant, however, filed First Appeal before the FAA, JMC, Jammu on 24.01.2018. The FAA disposed of the First Appeal vide his order dated: 22.03.2018 with a direction to the PIO, CAO, CTO and Assistant Secretary, JMC to provide the complete/revised available information to the applicant duly signed/authenticated within stipulated period of 07 days from the date of passing of the said order. The appellant was also allowed to inspect the

records with prior intimation of two days notice to the PIO concerned. However, not satisfied with the information so provided, the applicant filed second appeal before the State Information Commission (SIC) on 13.06.2018 (admitted on 25.06.2018) praying therein that respondents be directed to provide the complete and accurate information to the appellant, free of cost.

Proceedings:

The appeal came up for hearing before this Commission today on 24.09.2018. The appellant was present in person. The respondents were represented by Sh. Talat Mehmood Khan, AEE (Transport), JMC/PIO.

The appellant submitted that the requisite information has been provided by the PIO except information pertaining to points 6 and 10 of his RTI request. In respect of point No. 6, the PIO has furnished him the list of 140 Nallahs falling in Zone I, II and III. The appellant submitted that this is incomplete list as there are 171 nallahs which are being dredged/cleaned by JMC. In respect of point No. 10, the PIO has furnished the information to the appellant informing him that an income of Rs. 1039.80 lacs and Rs. 635-36 lacs have been generated for the years 2016-17 and 2017-18 respectively. Similarly, the details of budget provided by the Government during the years 2016-17 and 2017-18 have also been provided to the appellant. However, the appellant submitted that photocopies of the sanctioned budget for the years 2016-17 and 2017-18 be provided to him. The appellant expressed his satisfaction with the rest of the information provided by the PIO to him.

Decision:

The appeal is accordingly disposed of with a direction to the PIO to provide the list of all 171 Nallahs and also photocopies of the sanction letters under which the Finance/Planning Department has released funds/budget allotted by the Government to the JMC for 2016-17 and 2017-18. The PIO is also directed to provide the above mentioned information to the appellant, within a period of 02 weeks from the date of receipt of this order.

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

Sd/-

(Mohammad Ashraf Mir)
State Information Commissioner

No: SIC/J/A/70/2018_____

Dated:

Copy to:

1. FAA, O/O Jammu Municipal Corporation, Jammu for information.
2. PIO/AEE (Transport), JMC, Jammu for information and necessary action.
3. Private Secretary to SIC for information of the HSIC.
4. Appellant/Sh. Surinder Kumar, R/o. Opp. House No. 371 Sector No. 3, Channi Himmat Housing Colony, Jammu for information.
5. Office file.

(Zaheer Abbas)
Assistant Registrar
J&K State Information Commission