



**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. 0194-2484269, 2484262**  
[www.jksic.nic.in](http://www.jksic.nic.in)  
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File No. SIC-K/comp/130/2013  
Decision No SIC-K/comp/130/2013/14

Title: Sh. Mushtaq Ahmad Banday **v/s** Xen Sub Division Bhagat  
(**Complainant**) (b) (**Respondent**)

Present:

1. Shri Mohammad Yousuf Baba, Xen.
2. Shri Mushtaq Ahmad Banday, Complainant.
3. Shri Mohammad Afzal, Rep. of complainant.

**Srinagar**

**24.01.2014**

The Commission received a complaint on 11.10.2013 from Shri Mushtaq Ahmad Banday, Research Officer State Institute of Education against PIO O/o Executive Engineer, Electric Sub-Division, Bhagat Srinagar stating that he filed RTI application to PIO O/o Xen ESB Bhagat along with postal order on 22.05.2013 seeking information under RTI Act, 2009. He has further stated that till date of filing complaint he has not received any information from concerned PIO.

The complainant has therefore requested that Commission to direct PIO to furnish the information and also penalty under rules may be imposed on PIO for deliberately delaying the information without any justifications.

As per RTI application enclosed with the complaint, the information seeker has sought following information from PIO :-

- 1. "Status of my application received by your office on 26.11.2007 through (Mr. Ashfaq, Clerk) and 29.04.2011 (application is enclosed for ready reference with receipt).**
- 2. Have any show cause notice has been issued by Ex. Engineer to Inspector namely Gh. Nabi of (Peer Bhag area) regarding his lifting of electric meter and not to pay Rs. 15000/- to me as a meter cost/deposit.**
- 3. Any action taken or orders issued by Ex. Engineer on my complaint till date if yes please provide the copy of that if not why so. To whom my application was forwarded.**
- 4. What is a criterion of the department issuing electric meter to the consumers? Please the copy of the circular/govt. order issued by your department in the interest of general public.**
- 5. Name of officials' viz. Inspectors/Lineman's who are presently posted at Peer Bagh.**
- 6. How long these employees are posted at Peer Bagh. Please provide the copy of date of joining of these employees who are presently working at Peer Bagh Station".**

This RTI application has been sent by Registered Post on 22.05.2013.

In reply to the notice of the Commission seeking response to the complaint, Executive Engineer, Electric Division 2<sup>nd</sup>, Srinagar vide letter dated 23.12.2013 informed that the requisite information stands already served to the applicant by AEE Sub-Division Bhat vide his letter No. BSD/150-51 dated 24.06.2013.

Representative of the complainant, Shri Mohammad Afzal Bhat submitted information was received by the complainant after filing of complaint. However he was not sure as to the date of receipt.

From the response given by the PIO viz-a-viz queries sought in the RTI application it came to the fore that in response to query (4) of the RTI application, circular/Government order of the department regarding electric meters to the consumer, has not been provided. PIO is accordingly directed to provide copy of above Government order/circulars to the information seeker free of cost within one week from issue of this order.

Xen submitted that the AEE Sub-Division Bhagat, is the designated PIO, who is otherwise deemed as PIO for having responded

to the RTI application vide letter dated 24.06.2013. In view of the submission of complainant that information was received after filing of complaint, PIO is directed to produce evidence along with his explanation regarding disposal of RTI application within specific period before the Commission within 3 week from issue of this order.

With the above directions the complaint is disposed of.

**Sd/-**  
**(Nazir Ahmed)**  
**State Information Commissioner**

Copy to the: -

1. Executive Engineer, Electric Division 2<sup>nd</sup>, Srinagar.
2. Assistant Executive Engineer, Electric Sub Division Baghat, Srinagar.
3. Shri Mushtaq Ahmad Bandy, Research Officer State Institute of Education (SIE) Bemina, Srinagar.

(M.S. Bhat)  
Deputy Registrar,  
J&K State Information Commission