



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

File No: SIC/K/Comp/21/2013
Decision No: SIC/K/Comp/21/2013/**39**

Title: Shri Mohd. Shafi Pir, v/s Executive Engineer,
s/o Gh. Qadir Pir, Electric Division Kupwara
r/o Kulibagh Bumhma, **(Respondents)**
Kupwara **(Complainant)**

Present: 1. Shri Tajamual Hussain, PIO.
2. Shri Mohd. Shafi Pir, Complainant.

Srinagar
29.04.2013

The Commission has received a complaint from Shri Mohammad Shafi Pir s/o Gh. Qadir Pir r/o Kulibagh Bumhma Kupwara on 01.04.2013 against Executive Engineer Electric Division Kupwara stating that his RTI application dated 18.02.2013 has not been responded to.

Records enclosed with the complaint reveal that the subject matter of the RTI application is a complainant against PDD employees and information sought is regarding complaint to Chief Minister's Office enclosed and application dated 04.08.2012 also enclosed. The contents of complaint filed before Chief Minister's Complaint Monitoring Cell as under: -

"Request to your good self and informed in connection with the neglected employees in area of Block Drugmulla Kupwara. I am the resident of Kulbagh Bumhama Kupwara. Recently an unknown person gave me an

electricity bill with huge amount of electric fee vide consumer ID No. 0214020014907, which is false one.

Kindly know that this is not my bill at the address of Zidar of 100 KV. Zidar (address as on bill) is not my place in Muqam I shall well or elsewhere.

So, I am rejecting this fake bill on false agreement. I had not made any type of electricity agreement on this address. This agreement is not valid as it has been made in absence of me or my family. We have not any kind of electricity connection on this ID. Because there is no evidence or any witness regarding with this connection. So this is an illegal activity which is not a good thing. We request to you throw light on such issues and also take a serious action against such elements”.

Besides, application dated 04.08.2012 referred to in the RTI application is an application to Suptd. Engineer, PDD Circle Baramulla/Kupwara wherein issues raised in the complaint to CM’s Grievance Cell have been repeated.

In response to the notice of the Commission, Executive Engineer, ED Kupwara in his counter statement/reply dated 15.04.2013 has submitted that the complainant stands informed vide letter No. 11280 dated 20.03.2013 regarding the status of the case. Xen has further submitted that as per the report of AEE Kupwara, the applicant has been found using electricity since 01.06.2006 during the inspection and as such regularized since then, and accordingly tariff bills send to the applicant from time to time and that the applicant refused to pay the bills and disconnected the electricity from February 2013 at his own with removing of supply line. While concluding, PIO has submitted that complainant has intentions to grab the government money by way of defaming the department.

The response of PIO/Xen to the RTI application of the complainant vide letter dated 20.03.2013 reportedly sent through Registered Post as under: -

“Complaint lodged by you against the department was thoroughly probed and it was reported by the field functionaries that you received electricity regularly upto January 2013 and later on in Feb 2013 disconnected the connection at you own leaving a huge amount in areas unpaid to the department, this has been seconded by your neighbours, who have put in writing that this has been fabricated to grab the Govt. money.

It seems that looking at the volume of bills served upon you by the department from time to time based on actual facts has left you no option

but to defame the department which is quite unacceptable and uncalled for”.

The complainant submitted that he has not received this information as yet and accordingly Commission directed the PIO/Xen ED Kupwara to provide a copy of the same to the complainant today against proper receipt.

The contents of complaint made to CM’s Grievance Cell and application to the SE PDD Baramulla/Kupwara Circle reveal that the complainant wants redressal of his grievances on the plea that he is not having electricity connection and that the bill preferred by the Department is fake on fake agreement. Therefore essentially he has not sought any specific information but has contested the bill raised by PDD against him, whereas the Department has enclosed computer generated bill dated 10-05-2012 and 13.02.2013 amounting to Rs. 10554/- and has stated that the complainant was using electricity since 01.06.2006 but refused to pay bill and disconnected electricity from February 2013 on his own.

Therefore Commission holds that this is a dispute regarding payment of electricity bills and as such falls outside the purview of the J&K RTI Act, 2009.

Going by the statement of the PIO/Xen, the complainant has reportedly been using the electricity since 01.06.2006 but surprisingly the Department has failed to take timely action for around 7 years. Therefore the Commission finds it proper to refer the matter to Chief Engineer EM&RE Wing Kashmir for appropriate action against defaulting officials.

Registry to information Chief Engineer EM&RE Wing Kashmir accordingly with document filed by Xen and complainant.

Sd/-
(Nazir Ahmed)
State Information Commissioner

Copy to the: -

1. Chief Engineer, EM&RE Wing Kashmir.
2. Executive Engineer, Electric Division Kupwara.
3. Shri Mohammad Shafi Pir s/o Gh. Qadir Pir r/o Kulibagh Bumhma Kupwara.

(Mohammad Shafi)
Assistant Registrar,
J&K State Information Commission