



**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  
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File No: SIC-K/Comp/26/2013  
Decision No: SIC-K/Comp/26/2013/**55**

Title: Shri Nasir Hussain Bhat, v/s PIO, Office of Chief Engineer,  
S/o Abdul Rahim Bhat, UEED Kashmir.  
**(Complainant)** **(Respondent)**

Present: 1. Sh. R.K. Raina, PIO, Office of Chief Engineer UEED Kashmir.  
2. Shri Mohammad Ashraf, APIO.  
3. Shri Nasir Hussain Bhat s/o Abdul Rahim Bhat r/o Gowkadal,  
Srinagar.

**Srinagar**  
**01.07.2013**

The Commission received a complaint on 30.05.2013 from Shri Nasir Hussain Bhat s/o Abdul Rahim Bhat r/o Gowkadal, Srinagar against PIO/APIO Office of Chief Engineer UEED Kashmir for not providing information within stipulated time. Records enclosed with the complaint reveal that the complainant filed an RTI application addressed to APIO UEED Kashmir seeking information on 24 points, which has been received by PA to Chief Engineer UEED Kashmir on 29.04.2013 who is also a designated APIO.

In response to the notice of the Commission dated 12.06.2013 seeking reply/counter statement to the complaint, information comprising of 342 leaves has been sent by the APIO to the information seeker vide letter dated 19.06.2013. The information seeker Shri Nasir Hussain admitted to have received the information.

Shri R.K. Raina, Technical Officer to Chief Engineer UEED Kashmir appeared and submitted that he has been nominated as PIO recently. APIO (PA to CE UEED) submitted that PIO was on leave and therefore information was sent by him to the information seekers to avoid delay in submission of information.

While the Commission accepts the argument of the APIO in sending the information to the information seekers at his own level, yet as per Section 7 of the J&K RTI Act, 2009, it is the duty of the PIO to dispose of the RTI application. Therefore the Commission do not take cognizance of the order passed by the APIO.

In view of the above, PIO is directed to go through the information provided by the APIO and dispose of the RTI application by passing a speaking order within one week from issue of this order.

The complaint is disposed of with above direction.

Sd/-  
(Nazir Ahmed)  
State Information Commissioner

Copy to the: -

1. Technical Officer to Chief Engineer UEED Kashmir.
2. Shri Shri Nasir Hussain Bhat s/o Abdul Rahim Bhat r/o Gowkadal, Srinagar.

(Mohammad Sayed Shah)  
Registrar,  
J&K State Information Commission