



J&K State Chief Information Commissioner  
Old Assembly Complex, Srinagar. Fax ;0194-2484268,2484269  
Wazarat Road, Jammu. Fax No: 0191-2520947, 2520927

File No: SIC/CO/Comp/24/2013  
Decision No: SIC/CO/Comp/24/2013/470

Title:- Riyaz Ahmad S/o Khawaja Mohi-ud-Din  
R/o Garkote Uri, Distt: Baramulla

V/s  
PIO R&B Special Sub. Division, Uri.

Srinagar  
27.6.2013

This is a complaint filed by Shri Riyaz Ahmed, a resident of the State before this Commission on 22.4.2013 complaining therein that he had filed an RTI application before Executive Engineer-cum-PIO, R&B Sub Division Uri through registered post under Postal Receipt No: 2585 dated: 21.11.2011. Under Section 7 of the State RTI Act, the PIO had to pass an order within a maximum period of 30 days. The present PIO Shri A.Q Kirmani insists that he did not receive this application. The complainant has submitted that the erstwhile PIO of the said R&B Division Shri Manzoor Ahmed Zonga had called him in person and enquired about his RTI application which by implication shows that RTI application was received in the office of Executive Engineer R&B Special Sub Division Uri. The present PIO is directed to inform the ex-PIO about the same and ask him to confirm on oath to the Commission that he has not received the RTI application of the complainant. A copy of this order may also be delivered to him for his comments.

2. The present PIO Shri A.Q. Kirmani after receiving a notice from this Commission passed an order on 28<sup>th</sup> May 2013 which is being claimed to have been received by the brother of the

complainant on 3.6.2013. The complainant insists before this Commission that he does not have any elder brother. He has only two younger brothers. There is no evidence that even the information which was prepared late was properly dispatched and served on the information seeker. The present Executive Engineer is directed to investigate under what circumstances a receipt is being prepared and is being shown in support of claim that information was provided to information seeker on 28.5.2013 which was received either by his brother or by his employee namely Hamid. He should call the explanation of the concerned staff.

3. Present PIO Shri A.Q. Kirmani is also directed to explain why penalty proceedings as provided under Section 17 of the State RTI Act may not be initiated against him for delaying the information to the information seeker. His reply, if any, should reach this Commission within 15 days from the date of receipt of this order.

Sd/-

( G.R. Sufi )

J&K State Chief Information Commissioner

Copy to:-

1. Shri A.Q Kirmani, Executive Engineer-cum-Public Information Officer, R&B Special Sub Division, Uri.
2. Shri Manzoor Ahmed Zonga, Ex-PIO-cum-Executive Engineer R&B Special Sub Division, Uri.
3. Shri Riyaz Ahmed S/o Khwaja Mohi-ud-Din, R/o Garkote, Uri District Baramulla
4. Private Secretary to Chief Information Commissioner
5. Guard file

( Mohammad Syed Shah )

Registrar

J&K State Information Commission, Srinagar