



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/71/2012

Decision No.SIC/CO/Comp/71/2012/496

Title:- Shri Aijaz Hussain Malik, Draftsman, PHE Department, Water Works
Division, Srinagar.

V/s

Public Information Officer,
PHE, I&FC Department,
Civil Secretariat, Srinagar.

Srinagar
29-08-2013

This is a complaint filed by Shri Aijaz Hussain Malik before this commission on 19-09-2012. To investigate into the complaint, the PIO and complainant attended and they have been heard.

The brief facts of the case are that the complainant filed an RTI application before PIO, PHE, I&FC Department on 27-09-2011 seeking certain information as listed in the RTI application. The PIO had to pass an order under section 7 on or before 26-10-2011. As no such order was passed, the complainant filed the complaint under consideration. The PIO Shri Sheraz Ahmad submitted before this commission that he joined PHE Department in March,

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2013 after completion of probationary period. He further submitted that till the issue of notice by the registry of this commission he was not informed by his office about receipt of RTI application. Immediately after receipt of notice of the commission dated 25-07-2013, the information was prepared and handed over to the complainant in the office chambers of the Chief Information Commissioner. The PIO has accordingly pleaded that there was no intention to delay the information. After hearing the PIO, it is held that there was reasonable cause for the PIO not to pass order on time. Hence, no action under section 17 of the Act is considered necessary. Further, the PIO is advised to hold his subordinate staff responsible for not putting up RTI application before him for disposal. Staff should be sensitized about prompt compliance with the provision of State RTI Act. The complainant has a right to file further appeal/complaint as provided under the Act in case he is satisfied that information so provided to him is not complete or correct.

The complaint is accordingly disposed of.

Sd/-
(G.R.Sufi)

Chief Information Commission, J&K.

Copy to the:-

1. Public Information Officer, PHE, I&FC Department, Civil Secretariat, Srinagar.
2. Shri Aijaz Hussain Malik, Draftsman, PHE Department, Water Works Division, Srinagar.
3. Private Secretary to Hon'ble Chief Information Commissioner.
4. Guard file.