



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, 0194-2506660, 2506661
www.jksic.nic.in

File No. SIC/K/Comp/12/2016
Decision No. SIC/K/Comp/12/2016/ **29**

FINAL ORDER

Complainant : Mr Shabir Ahmad Wani

Respondent : First Appellate Authority (FAA) O/o Chief Engineer, PHE Department Kashmir/Public Information Officer (PIO)/Executive Engineer Water Works Division Srinagar

Date of Decision : 09.08.2017

Brief Facts:

The brief facts of this complaint are that Shri Shabir Ahmad Wani S/o Late Gh. Nabi Wani R/o Mehjoor Gali, Opposite DC's Office, Tankipora, Srinagar filed a complaint before the Commission on 09.12.2016 against PIO/Executive Engineer, Water Works Division, Srinagar and PIO/Private Secretary to the Chief Engineer, PHE Department, Kashmir. The complainant has alleged that he filed an application for seeking information before the PIO/Private Secretary to the Chief Engineer, PHE Department, Kashmir on 09.05.2016. The said application was forwarded to the PIO/Executive Engineer Water Works Division Srinagar on 12.05.2016,

however, the PIO has failed to provide him the information within the stipulated time. Accordingly, the PIO/Private Secretary to the Chief Engineer, PHE Department, Kashmir was reminded on 16.06.2016 who again asked the Executive Engineer Water Works Division to expedite the matter.

The complainant has submitted in his complaint dated 09.12.2016 that date no information has been provided to him till the filing of the complaint. The complainant has requested the Commission to intervene in the matter and provide him the information as requested.

As per records on the file, the information seeker has filed an application under the J&K RTI Act, 2009 before PIO/Private Secretary to the Chief Engineer, PHE Department, Kashmir on 09.05.2016 for seeking information regarding service records of an employee viz Javaid Ahmad Khan S/o Gh. Hassan Khan R/o Shaheed Gunj, Srinagar. The application was forwarded by the PIO/Private Secretary to the Chief Engineer, PHE Department, Kashmir to the PIO/Executive Engineer Water Works Division, Srinagar under Section 6 (3) of the J&K RTI Act, Act, 2009 vide letter dated 12.05.2016 followed by reminder dated 23.06.2016 with directions to provide the information directly to the information seeker. The complainant has filed the instant complaint against non-response/inaction of the PIO.

Proceedings before the Commission

In response to the notice of the Commission dated 21.12.2016, Er. Aijaz Ahmad Qureshi, PIO/Executive Engineer Water Works Division, Srinagar has filed point wise reply to the queries of the RTI application vide communication dated 28.12.2016 with copy to the complainant.

The complaint was listed for hearing today on 08.08.2017. Er. Aijaz Ahmad Qureshi, PIO/Executive Engineer Water Works Division, Srinagar attended the hearing. However, the complainant, Shri Shabir Ahmad Wani did not attend. During the proceedings, the PIO submitted that point wise information has already been provided to the complainant and the State Information Commission has been intimated about the same vide his office letter dated 28.12.2016

Decision:

The PIO/Executive Engineer Water Works Division, Srinagar submitted before the Commission that all the information sought by the complainant stands provided to him. The complainant has not attended the hearing despite advance notice to attend the State Information Commission through prescribed mode of service, which most probably implies that the information seeker is no longer interested to press the complaint. The main prayer in this complaint was for provision of information requested by the complainant/RTI applicant before the PIO. Since information has been provided and the complainant is absent, there seems to be no reason for continuing with the complaint proceedings under Section-15. No further inquiry is required to be done.

Accordingly, the complaint filed before the State Information Commission is disposed of.

Sd/-
(Khurshid A. Ganai) IAS Retd
Chief Information Commissioner

(S. Sajad Ahmad)

Copy to the:

1. PIO/Private Secretary to the Chief Engineer, PHE Department, Kashmir
2. PIO/Executive Engineer, Water Works Division, Srinagar
3. Appellant-Sh. Shabir Ahmad Wani S/o Lt. Gh. Nabi Wani R/o Mehjoor Gali Opp. DC's Office Tankipora, Srinagar
4. Office file

(Sheikh Fayaz Ahmad)

Registrar

J&K State Information Commission