



## Jammu and Kashmir State Information Commission

جموں اینڈ کشمیر اسٹیٹ انفارمیشن کمیشن

(Constituted under the Right to Information Act, 2009)

Wazarat Road, near DC Office Jammu, 0191-2520947, 2520937

Old Assembly Complex, Srinagar, 0194-2506660, 2506661

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File No. SIC/K/SA/88/2017

Decision No. SIC/K/SA/88/2017/87

- Appellant: Mr. Mukhtar Ahmad Tanki Ex-Technical-III ED-II Rajbagh R/o Chandpora, Harwan
- Respondent: 1. First Appellate Authority (FAA)/Chief Engineer, M&RE Wing Kashmir, Srinagar.  
2. Public Information Officer (PIO)/Executive Engineer, Electric Division-II, Srinagar
- Date of Registration : 26-10-2017
- Date of Decision : 29-12-2017

### Final Order

The appellant Mr. Mukhtar Ahmad Tanki has filed the 2<sup>nd</sup> appeal before the Commission on 26-10-2017 against the First Appellate Authority (FAA) and the Public Information Officer (PIO) EM&RE Wing Kashmir Chief Engineer, M&RE Wing Kashmir, Srinagar, alleging therein that the PIO has provided him incomplete information vide letter No. ED-II/1338-39

dated 15-06-2017. Thereafter, the appellant filed first appeal before FAA on 15-07-2017. The FAA vide letter No. CE/M&RE/Adm-I/RTI/PF/9970-74/AS dated 01-08-2017 requested the PIO to go through the contents of the RTI application and provide the remaining information to the appellant. Vide letter No. 1495-99 dated 19-08-2017, the PIO provided the remaining information to the appellant on one more point. The appellant has requested the Commission to direct concerned PIO to provide him complete information as sought by him.

As per the records, the appellant vide RTI application dated 18-05-2017 had sought information from PIO on four points pertaining to benefits of SRO 59 to the employees of Power Development Department. After filing of the first appeal, the PIO responded his RTI application vide letter dated 15-05-2017 providing part of the information. Not satisfied with the information provided, the appellant filed the instant 2<sup>nd</sup> appeal before the Commission.

On admission of the 2<sup>nd</sup> appeal, the PIO submitted the counter reply before the Commission vide No. ED-II/3997-4003 dated 13-11-2017 stating therein that the information as sought by him has been provided to the appellant. The 2<sup>nd</sup> appeal came up for hearing today on 29-12-2017. Mr. Irshad Ahmad Sofi, PIO of the O/o Chief Engineer, Mr. Bashir Ahmad Dar, AEE/PIO Electric Division-II and Mr. Mukhtar Ahmad Tanki, the appellant attended the hearing. During

proceedings, the PIO submitted that complete information has been provided to the appellant. The appellant admitted to have received the information. He, however, submitted that the Chief Engineer, EM&RE Wing, Kashmir has withdrawn the benefit of SRO 59 in his case after his retirement from the service. The appellant actually has a grievance against the Department that he has been denied the benefit of SRO 59. This is a service matter and can be agitated by the appellant at the appropriate forum. Service disputes cannot be settled through the medium of RTI Act. The provisions of the Right to Information Act cannot be used to settle personal scores or to seek redressal of grievances or for settling service disputes. The information sought by the appellant through his RTI application has been provided to him by the PIO. For settling his service dispute, the appellant should approach the appropriate authority.

The 2<sup>nd</sup> appeal is accordingly disposed of.

Sd/-  
(Mohammad Ashraf Mir)  
State Information Commissioner

Copy to the:-

1. First Appellate Authority (FAA)/Chief Engineer, M&RE Wing Kashmir, Srinagar.
2. 2. Public Information Officer (PIO)/Executive Engineer, Electric Division-II, Srinagar
3. Mr Mukhtar Ahmad Tanki Ex-Technical-III ED-II Rajbagh R/o Chandpora, Harwan

( M. S. BHAT )  
Deputy Registrar,  
J&K State Information Commission, Sgr