



State Information Commission
(Constituted under Right to Information Act 2009)
Old Assembly Complex, Srinagar, Fax No. 0194-2484269, 2484262
Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937
www.jksic.nic.in

File No: SIC/J/A/320/2013
Decision SIC/J/A/320/2013/22

Sh. Davinder Singh	Appellant	Present
Sh. Mohinder Kumar Executive Engineer, PHE Gandoh.	PIO	Present

Jammu
28-01-2014

Briefly the facts in this appeal are that Sh. Davinder Singh, Govt. Contractor R/o Batara, Tehsil Gandoh, District Doda moved an application dated 15-06-2013 before the PIO/Executive Engineer, Special Sub Division, Gandoh/AEE PHE Sub. Division Gandoh under J&K Right to Information Act, 2009 whereunder he sought the following information w.e.f 2005 to 31-12-2012:-

S.No.	Name of HR&CP Worker	Parentage	Address	Date of engagement	Reference to Order No. under which engagement/authority is made with order copy	Pay drawn with reference to CV No.	Name of scheme on which it works

The PIO/Executive Engineer, Special Sub Division, Gandoh directed the Asstt. Executive Engineer, PHE Gandoh for providing the requisite information to the information seeker. But the Asstt. Executive Engineer, PHE Gandoh did not

provide any information to the information seeker within the statutory period as mandated under the Act. Thus, feeling aggrieved of inaction on the part of the AEE PHE Gandoh, the information seeker filed Ist appeal dated 23-10-2013 before the Superintendent Engineer, Hydraulic Doda.

Perusal of the record shows that that Ist appeal has not been adjudicated and disposed of till date. Thus, feeling aggrieved of inaction on the part of the Asstt. Executive Engineer, PHE Gandoh and FAA, the information seeker filed second appeal dated 12-12-2013 before the Commission. In support of second appeal, the appellant has also filed an affidavit which has been brought on record. The Commission after receiving the second appeal, listed the matter for hearing on 28-01-2014 at Jammu office of the Commission. Sh. Mohinder Kumar, Executive Engineer, PHE Gandoh informed the Commission that he has recently taken over as Executive Engineer, PHE Gandoh and requested for two weeks time to furnish the information to the information seeker. Sh. Mohinder Kumar, Executive Engineer, PHE Gandoh/PIO also identified Sh. Mohd. Shafi Bhat, Asstt. Executive Engineer, PHE Gandoh now transferred/posted at PHE Bhaderwah who is responsible for causing delay in furnishing the information to the information seeker.

Keeping in view the aforesaid facts and observations, the PIO/Executive Engineer, PHE Gandoh is hereby directed to furnish the requisite information to the information seeker free of cost within two weeks from the date of receipt of this order under an intimation to the Commission. In case the information seeker desires to inspect the office record, he may be provided a facility to do the same during office hours on a working day. Parties are at liberty to settle the date and time for inspection of record which may be convenient to them.

Sh. Mohd. Shafi Bhat, Asstt. Executive Engineer, now posted at PHE Bhaderwah is hereby directed to show cause why penalty under section 17 of J&K RTI Act may not be imposed upon him for causing delay in furnishing information to the information seeker within two weeks from the date of receipt of this order.

The appeal is accordingly disposed of.

Notice of this decision be given free of cost to the parties.

Sd/-

Dr. S.K. Sharma

State Information Commissioner

Copy to:-

1. The Public Information Officer/ Executive Engineer, PHE Gandoh.
2. Sh. Mohd. Shafi Bhat, Asstt. Executive Engineer, PHE Bhaderwah.
3. Sh. Davinder Singh, Govt. Contractor R/o Batara, Tehsil Gandoh, District Doda

(Khalid A. Shah)

Dy. Registrar

State Information Commission