



Jammu and Kashmir 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/C/29/ 2013

Decision No: SIC/J/C/29/ 2013/208

| | | |
|--|-------------|----------------------------------|
| Sh. Abdul Rashid | Complainant | Absent |
| Sh. Sarban Singh Executive Engineer, PHE Division, Rajouri. | PIO | Heard through video conferencing |

Jammu
24-07-2013

Briefly the facts in this complaint are that Sh. Abdul Rashid S/o Sh. Mohd Faqir R/o Kote, Thannamandi moved an application dated 08-09-2012 under J&K RTI Act, 2009 before the PIO O/o Dy. Commissioner, Rajouri seeking the following information:-

1. No. of persons engaged as CP worker on need basis in the Department during the year 2005, 2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013.
2. Detail of persons engaged in Urban area, viz
 - a) Thanna Mandi Town
 - b) Rajouri Town
3. Detail of persons engaged in Rural area.
4. Object of head, out of which wages are paid
5. Detail of period for which wages are paid, wages pending, source of funding (through CE or DDC).

6. Kindly indicate name and parentage of the individuals with full residential Address.
7. Indicate the engaging authority whether CE/SE/DDC/Xen/AEE.
8. Also provide scheme-wise vouchers of persons engaged.
9. Also provide CD.

The Dy. Commissioner office, Rajouri forwarded the RTI application of the applicant to the Executive Engineer, PHE Division, Rajouri for favour of necessary action at his end. The Executive Engineer, PHE Division, Rajouri vide office letter No: PHER/2967 dated 20-09-2012 directed the information seeker to deposit/remit fee of Rs. 16,640 as photocopy charges of Vrs. in larger size containing 832 pages. The information seeker feeling aggrieved of the aforesaid order filed complaint before the Commission requesting therein that he belongs to BPL category and have annexed BPL ration card in support of his claim and is entitled to seek information free of cost in terms of section 7(5) of the RTI Act, 2009 which ordains that no fee shall be charged from the persons who are below poverty line. The demand of fee by the PIO is unwarranted and contrary to the mandate of the RTI Act, 2009.

During the course of proceedings held today through video conferencing, PIO apprised the Commission that information seeker was allowed an opportunity to access the record in his office and he inspected the same on two occasions in his office. In view of the aforesaid facts, PIO is directed to provide photo copies of relevant documents to the information seeker free of cost within 7 days from the date of receipt of this order under an intimation to the Commission.

The complaint 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 the:-

8. The Public information Officer/ Executive Engineer, PHE Division, Rajouri.
9. Sh. Abdul Rashid S/o Sh. Mohd Faqir R/o Kote, Thannamandi.

(Khalid A. Shah)
Dy. Registrar
State Information Commission