



**Jammu and Kashmir State Information Commission**

(Constituted under Right to Information Act 2009)

Old Assembly Complex, Srinagar, Fax No. 0194-2484269, 2484262

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www.jksic.nic.in

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File No: SIC/J/A/274/2013

Decision No: SIC/J/A/274/2013/359

Sh. Sanjiv Mahajan alias Rocky Mahajan	Appellant	Present
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Sh. Vijay Gupta Executive Engineer, PHE Division, Samba.	PIO	Present
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**Jammu  
19-11-2013**

Briefly the facts in this appeal are that Sh. Sanjiv Mahajan alias Rocky Mahajan S/o Sh. Shori Lal R/o W.no. 9, Vijaypur P/o Vijaypur, Tehsil & Distt. Samba-184120 moved an application dated 17-6-2013 under J&K RTI Act, 2009 before the PIO/ Executive Engineer, PHE Division, Samba whereunder he sought the following information:-

- i. *Provide the list of beneficiaries alongwith the name, address within jurisdiction of Assistant Executive Engineer, PHE Sub Division Vijaypur and Bari Brahmana to whom the PHE Department has provided the facilities of Shallow Hand pumps w.e.f April, 2008 to June, 2013.*
- ii. *Provide the list of public stand installed by the PHE Department within jurisdiction of AEE, PHE Sub Div. Vijaypur and Bari Brahmana during the period April, 2008 to June, 2013.*
- iii. *Provide the list of candidates engaged on basis of contractual/consolidate/need basis/any other mode in PHE Sub. Division, Vijaypur and PHE Sub. Division Bari Brahmana during the period April, 2005 to June, 2013 and also provide their place of working at present.*

- Provide the photocopies of applications and documents of each candidate annexed with the application at the time of their engagement.*
- iv. *Provide the copy of muster roll of each candidate engaged in PHE Sub Division, Vijaypur and PHE Sub Division, Bari Brahmana on basis of contractual/consolidate/need basis /any other mode.*

The information seeker has alleged in his 2<sup>nd</sup> appeal filed before the Commission that the PIO provided him incomplete information. The perusal of record shows that the information seeker also approached the FAA i.e. Superintendent Engineer, P.H.E. Department, Jammu by filing an appeal dated 23-07-2013. The FAA disposed of the appeal vide order no. SE/HYD/7688-89 dated 26-09-2013 whereunder the PIO/Executive Engineer, PHE Division, Samba was directed to supply the complete information to the appellant within weeks time. The appellant has also alleged that the order of the FAA has not been complied by the PIO/Executive Engineer, PHE Division, Samba and thus he was constrained to knock the doors of the Commission by filing 2<sup>nd</sup> appeal. The PIO/Executive Engineer, PHE Division, Samba appeared before the Commission and during the course of proceedings, he assured the Commission that whatever information required by the information seeker shall be provided to him within a week's time. The PIO also undertook to allow the information seeker an opportunity to inspect the record in his office in case he so desires.

In view of the aforesaid facts and observations, the PIO/Executive Engineer, PHE Division, Samba is hereby directed to provide complete information to the information seeker free of cost within one week from the date of receipt of this order and the said information be sent to the information seeker under a registered cover at his residential address. The PIO is further directed to provide the information seeker an opportunity to inspect the record in his office on a working day during office hours. The parties are at liberty to settle the date and time for inspection of record which may be convenient to both of them.

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 the:

1. Public Information Officer / Sh. Vijay Gupta, Executive Engineer, PHE Division, Samba.
2. Sh. Sanjiv Mahajan alias Rocky Mahajan S/o Sh. Shori Lal R/o W.no. 9, Vijaypur P/o Vijaypur, Tehsil & Distt. Samba-184120.

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

(J.S. Munish)