

**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : KP(M).16/2017
Complainant/ Appellant : Shri Saroj Kumar Saraf
Respondent : Executive Engineer, PHE, Hojai Division.
Date of hearing : 14.02.2017
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

14.02.17

The appellant/petitioner Shri Saroj Kr. Saraf is present. The public authority is represented by:- (1) Shri Pratap Ch. Patra, Executive Engineer, PHE, Hojai Division, (2) Md. Jilas Uddin Laskar, SPIO of the office of the E.E., PHE, Hojai Divn., and (3) Md. Iman Ali, Dy A.O., incharge AO, Hojai PHE Divn. The second appeal petition dated 21.1.17 is taken up for hearing in presence of both the parties.

The petitioner Shri Saroj Kr. Saraf has submitted a written statement dated 14.2.17, which is entered into the case records.

From perusal of the case records it is seen that in response to the petitioner's RTI petition dated 28.11.16, the SPIO of the office of the Executive Engineer, PHE, Hojai Division did not furnish any information, although the RTI petition dated 28.11.16, which was addressed to the PIO of the office of the Chief Engineer, PHE, Assam was transferred by him to the PIO of the office of the Executive Engineer, PHE, Hojai Division.

However, after the petitioner filed his first appeal petition dated 30.12.16 before the Executive Engineer, PHE, Hojai Division, the first appellate authority furnished the sought for information vide his letter dated 6.1.17. The petitioner also acknowledged receipt of the said communication and submitted that he is satisfied with the informations furnished in respect of the 6 (six) points from (i) to (vi) under para 7 (A) of his RTI petition dated 28.11.16. The ground for his appeal is that information furnished against point Nos. 7 & 8 under para 7 (A) are incomplete and incorrect and no information has been furnished against para 7(B) of his RTI petition.

The Executive Engineer, PHE, Hojai Division submitted that as regards point Nos. 7 & 8 under para 7(A), no bills have been raised so far.. He also admitted that the work order against these two points were issued to Sri Satapal Industrial Suppliers. This Commission, therefore, directs the Executive Engineer, PHE, Hojai Division to inform the petitioner about the present position regarding making of payments against these two works, including the reasons why bills have not been raised so far.

As regards para 7 (B) of the RTI petition, the petitioner was informed vide enclosure of letter dated 6.7.16 that payment will be made as and when necessary fund

is received at the end of the Executive Engineer against the outstanding liabilities. This Commission is of the view that this response is not specific. This Commission, therefore, directs the Executive Engineer, PHE, Hojai Division to inform the petitioner about the present position of steps taken by him for release of the outstanding payments and withheld security deposits. The Executive Engineer, PHED, Hojai is directed to furnish the above informations to the petitioner within 15 days from the date of this order, (i.e. 14.2.17), which was pronounced in presence of both the parties.

With the above order the second appeal petition dated 21.1.17 is disposed of.

Sd/-
(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/KP(M).16/2017/29-A

Dtd. 14.02.2017

Copy to:

1. The SPIO of the office of the Executive Engineer, PHE, Hojai Division, Dist. Nagaon for information and necessary action.
2. Shri saroj Kumar Saraf, Sri Satpal Industrial Suppliers, Saraf Building, 1st floor, A.T. Road, Guwahati-1 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission