

**OFFICE OF THE ASSAM STATE INFORMATION COMMISSION: ASSAM
JONAKEE COMPLEX, PANJABARI, GUWAHATI-37**

Appeal Case No: HLK.52/2013

Appellant : Shri Amad Uddin Borbhuiya

Public Authority: Executive Engineer,
Hailakandi Water Resource Department

Heard by: Shri Himangshu Sekhar Das,
Assam State Chief Information Commr.

**Appellant was
Represented by:** Self

**Public Authority was
represented by** Shri Safiqur Rahman Choudhury
Head Assistant.

O R D E R
16-2-2015

The appellant Sri Amad Uddin Borbhuiya is present. He is accompanied by Sri Zakir Hussain Borbhuiya, The SPIO in the office of the Executive Engineer, Water Resource Division is absent. However, one Safiqur Rahman Choudhury, Head Assistant in the Office of the Executive Engineer, Water Resource Department, Hailakandi appeared on behalf of the SPIO.

Although the original RTI application dated 20-5-2013 was addressed to the SPIO in the office of the Executive Engineer, Water Resource Department, Hailakandi, the petitioner submitted his first appeal petition before the Deputy Commissioner, Hailakandi as the first Appellate Authority. Addl. Deputy Commissioner, Hailakandi vide their letter No. 1/2013/23 dated 24-10-2013, had advised the petitioner/ applicant to file his first appeal petition before the appropriate authority. The complainant submitted that he did not receive this intimation from the office of the Deputy Commissioner, Hailakandi. It is obvious that the Deputy Commissioner cannot be the first Appellate Authority in the instant case. It may be the Executive Engineer, Hailakandi Division of the Water Resource Department.

Moreover, this is not a second appeal case, since there is no order of the first appellate authority to be appealed against. The complainant's grievance is that he has not received any information from the SPIO in response to his original RTI application dated 20-5-2013. It is also seen that the RTI application itself is not very clear as to the information the petitioner wants. When he was asked the petitioner submitted that he wants copies of NITs, Copies of the Comparative Statements, copies of the resolution of the Tender Committee, copies of estimates, copies of work orders, copies of agreement , copies of Sanctioning order and copies of bill payments of the works executed under

FDR/CRF/SDRF in Hailakandi district during the period from 1-4-2005 till 31-3-2013.

The Commission hereby directs the SPIO, Hailakandi Divn. Of Water Resource Department to furnish the information to the complainant/petitioner within 15 days from the receipt of this order.

With the above order the Complaint petition is disposed of.

Sd/-

(H. S. Das, IAS) (Retd)
State Chief Information Commissioner, Assam

Authenticated True copy

Sd/-

Secretary and Registrar,
Assam State Information Commission

Memo No.SIC HLK.52/2013/

Dated 16th February, 2015

Copy to:

1. The SPIO, Office of the Executive Engineer, Water Resource Divn. Hailakandi for information and necessary action.
2. The Head Assistant, Office of the Executive Engineer, Water Resource Divn. Hailakandi for information and necessary action.
3. Sri Amad Uddin Borbhuiya, Complainant,Vill- Kanchanpur Pt-II, Hailakandi for information.
4. Computer Section for uploading in the Website.
5. Office file.

Secretary & Registrar
Office of the State Information Commn