

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

Case No. : DMJ.17/2011

Complainant/ appellant : Shri Charan Timey

Respondent : Chairman, Silapathar Town Committee

Date of hearing : 18.5.2015

Complaint/ Second : Shri H.S. Das, IAS ( Retd)  
appeal heard by Chief Information Commissioner, Assam

**O R D E R**  
18.5.2015

The petitioner Shri Charan Timey is present. The Public authority is represented by Shri Adhir Purkayastha, Ex-Chairman, Silapathar Town Committee assisted by Shri Debashis Sur, Advocate. The complaint petition is taken up for hearing in presence of both the parties.

The petitioner submitted that he is still in need of the information which has not been furnished by the Silapathar Town Committee. Hence his prayer is taken up as a second appeal petition. The ex-Chairman of Silapathar Town Committee Shri Adhir Purkayastha submitted that he had already furnished the information sought for by the petitioner for the period 2009-13. In his submission he further stated that the documents relating to the period 2004-09 were not available with him, hence he could not furnish the same to the petitioner. To this the petitioner submitted that he was called to collect some documents. But when he saw that the documents were not the ones that he wanted, he did not accept the same.

The Commission notes that the information sought for by the petitioner vide his original RTI application dtd.14.2.2011 are admissible under the RTI Act, 2005 and they relate to the period 2004-10. The Commission also does not agree with the respondent's submission that the documents relating to the period 2004-09 were not available with him. The Commission is of the view that it is office of the Town Committee which must have the public documents with them. The Commission, therefore, directs the present Chairman of the Silapathar Town Committee to allow Shri Charan Timey, the petitioner to

inspect the documents during office hours within 15 ( fifteen) days from the date of receipt of this order and allow him to take notes, or photocopies of documents required by him free of cost upto 50 ( fifty) copies and charging rupees two per copy thereafter.

As regards ex-Chairman Shri Adhir Purkayastha, the Commission is of the opinion that he had failed to give the complete information as sought for by the petitioner during his Chairmanship. The Commission will take a view on this after receiving compliance report from the present Chairman within 30 (thirty) days from the date of receipt of this order. The respondent submitted copy of a letter dtd. 28.2.12 signed by himself and three other Members of Silapathar Town committee addressed to the Director, Municipal Administration, Government of Assam. This is entered into the case records.

(H. S. Das)  
Assam State Chief Information Commissioner,  
Panjabari, Guwahati

Authenticated true copy.

Secretary & Registrar  
Assam State Information Commn.

Memo No.DMJ.17/2011

Dtd. 18.5.2015

Copy to:

1. The Chairman, Silapathar Town Committee, Dist. Dhemaji for information and necessary action.
2. Shri Charan Timey, Local Corespondent, Asomiya Khabar, Silapathar Station, PO- Silapathar, Dist-Dhemaji, Assam , PIN- 787059 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar  
Assam State Information Commission