

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

Case No. : KP(R). 17/2011
Complainant/ appellant : Sri Prosenjit Chowdhury
Respondent : Asstt. Executive Engineer PWD (Roads), Kamrup
(R), Boko
Date of hearing : 06. 7.2015
Complaint/ Second : Shri H.S. Das, IAS (Retd)
appeal heard by Chief Information Commissioner, Assam

O R D E R
06.7.2015

The petitioner Shri Prosenjit Chowdhury is present. The Public Authority is represented by (1) Shri Khanindra Kr. Sarnah, Asstt. Executive Engineer (TC), Guwahati Road Divn. Fancy Bazar, (2) Shri Bhupendra Ch. Sarma, Asstt. Executive Engineer, PWD ®, Boko Rural Road Sub-Divn and (3) Md. Saifuddin Ahmemd, Junior Engineer, PWD, Boko Rural Road Sub-Division, Boko. The complaint petition dtd 23.7.12 is taken up for hearing in presence of both the parties.

The original RTI petition dtd 27.7.11 addressed to the Asstt. Executive Engineer, PWD ®. Kamrup (R), Boko.

It is seen from the case records that on 9.9.11 the Executive Engineer, PWD (R) Divn. advised the AEE, PWD (R), Boko to furnish the information to the petitioner after realizing the cost involved. This was followed by an appeal petition dtd 25.11.11 by the petitioner directly to the State Chief Information Commissioner bypassing the first Appellate Authority. This appeal petition was forwarded by the Commission on 11.1.12 to the Executive Engineer, PWD (R) Division , Fancy Bazar, Guwahati-1 for disposal within 30 days from the date of receipt of this Commission's order. This was followed by a complaint petition dtd 23.7.12 by the petitioner addressed to the State Information Commission.

From the above, it is clear that the petitioner bypassed the laid down procedure and did not approach the first Appellate Authority. The Commission also notes that the information sought for by the petitioner has not yet been furnished to him nor did the SPIO in the office of the Asstt. Executive Engineer, Rural Road Divn, Boko give any response to the petitioner within the stipulated period of 30 days. The Commission also notes that the information sought for by the petitioner is quite voluminous. The office of the Executive Engineer, PWD ® Division asked the petitioner to deposit Rs. 36,840.00 towards the cost of photocopying the documents.

In view of the above, the Commission directs the Asstt. Executive Engineer, PWD (R) Sub-Division, Boko to allow the petitioner to inspect the relevant documents in his office on any working day during office hours after giving two days' advance notice and take notes thereof. If photocopy of any documents are required, then the concerned SPIO will provide the required photocopies free of cost up to 50 copies and on payment of Rs. 2.00 per copy for any additional copies. This process be completed within 20 (twenty) days from the date of this order which was pronounced in presence of both the parties. Thereafter, if the petitioner is still not satisfied, he may then file appeal petition before the first Appellate Authority as per procedure.

Sd/-

(H. S. Das)

Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commission

Memo No.KP (R). 17/2011/

Dtd. 06.7.2015

Copy to:

1. The Asstt. Executive Engineer, PWD (R) Sub-Division, Boko, Dist. Kamrup (R), Assam for information & necessary action.
2. Shri Prosenjit Chowdhury, President, Aastha Foundation, Assam, PO-Binoanagar, Bhaskar Nagar, 4th Lane, Guwahati-18 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission