



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

Case No. : **BPT.06/2013**

Complainant/ appellant : Sri Raj Kr. Das

Respondent :Executive Engineer, Barpeta PWD Rural Roads Divn

Date of hearing : **04-08-2015**

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

O R D E R

The petitioner Sri Raj Kr. Das is present. The public authority is represented by Sri Lalit Ch. Konwar, Asstt. Executive Engineer, and PIO of the office of the Executive Engineer, , Barpeta PWD Rural Rods Division and Sri Sunil Kr. Das, Junior Engineer of the Divn.

The written submission dated 31-7-2015 made by the petitioner today is entered into the case records.

The written submission dated 30-7-2015 submitted separately by the SPIO Sri L. C. Konwar and the first Appellate Authority, i.e., the Executive Engineer, PWD Barpeta Rural Roads Division are also entered into the case records.

The second appeal petition dated 11.12.2013 and the complaint petition dated 21-3-2013 is taken up for hearing in presence of both the parties.

From a perusal of the case records it is seen that the petitioner Sri Raj Kr. Das submitted his RTI petition dated 5-10-2012 to the Executive Engineer, PWD Barpeta Rural Roads Divn. desiring to inspect the work estimates of PMGSY work package No. AS-0125 and take copies as may be necessary. In response to the RTI petition the PIO of the Divn. wrote to the petitioner on 20-10-2012, asking him to deposit Rs. 600/- towards cost of furnishing the information running into 300 pages @ Rs. 2/- per page for photo copy. Thereafter the petitioner did not deposit the amount as he wanted first to inspect the documents and take necessary copies only as per his requirement by paying the required cost. On 2-12-2012 the petitioner filed an appeal petition before the First Appellate Authority. In reply to his first appeal petition the public authority and the Executive Engineer wrote to the petitioner on 11-12-2012 inviting him to his office at any time during office hours for furnishing the required information. The petitioner deposed before the Commission that as requested he visited the office of the Executive Engineer and inspected the working estimates , but the DPR of the package was not presented for inspection. However, on 18-1-2013 the PIO gave photo copy of the DPR to the petitioner with attestation signature on the first page. The petitioner doubted the genuineness of the photo copied information. Moreover, he stated that he was given photo copy of the Volume-I of the DPR which contained only the estimates. Copy of Volume-2 which contained the drawings of the road with cross sections was not given to him.

The Commission is of the view that missing of the original documents from the custody of the office of the Executive Engineer, PWD Rural Roads Divn, Barpeta is not acceptable. The Commission therefore, directs the Executive Engineer, PWD Barpeta Rural Roads Division to locate the original DPR, both the volumes-I and II by tracking their file movements/ correspondence/ Register and allow for the inspection by the petitioner within 60 days from the date of receipt of this order. If he fails to locate the original DPR then he is directed to file an FIR in the Police Station reporting missing of the public document.

As regards the working estimates the petitioner submitted that he had already compared the photo copy given to him with the original records in the Executive Engineer's office. But he doubted the genuineness of the documents. The Asstt. Executive Engineer Sri L.C.Konwar who was present deposed that the copy of the working estimates available in his office, and which was inspected by the petitioner, and whose photo copy was furnished to the petitioner was the original copy. The Commission takes note of the deposition made by the Asstt. Executive Engineer. **The petitioner is at his liberty to take further course of action before the appropriate Competent Authority including this Commission, with adequate evidence and grounds in support of his suspicion and contention that the copy of the working estimates furnished to him are not genuine.**

The petitioner further submitted that as requested by the PIO he had deposited Rs. 570/- towards the cost of documents , but he is yet to receive those documents. **The Commission directs the SPIO to furnish the documents, for which they received Rs. 570/- from the petitioner.**

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

Authenticated true copy.

**Sd/-
Secretary & Registrar
Assam State Information Commission**

Memo No. UDR.03/2013 -A

Dtd. 03-08-.2015

Copy to:

1. Executive Engineer, Barpeta PWD Rural Roads Divn, Barpeta for information and necessary action.
2. Sri Lalit Ch. Konwar, Asstt. Executive Engineer, and PIO of the office of the Executive Engineer, Barpeta PWD Rural Rods Division for information and necessary action.
3. Sri Raj Kr. Das, House No. 13, Ward No. 13, P.O- Barpeta, Budarurtup, Dist- Barpeta, Assam, for information.
4. Computer Section for uploading in the Website
5. Office File.

**Secretary & Registrar
Assam State Information Commission**