



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

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

Complainant/ appellant : **Sri Sanjit Barman**

Respondent : **Jatindra Basumatary,
Suptdt. Food & Civil Supplies and Consumer Affairs.**

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 Public Authority is represented by Sri Jatindra Basumatary, Supertintendent , Food & Civil Supplies and Consumer Affairs, Kokrajhar, accompanied by Sri Farendra Mushahary, Secretary, Titaguri Samabay Samity Ltd.

The petitioner Sri Sanjit Barman is absent. However, He has sent an e-Mail stating that he will not be able to attend today's hearing due to his indisposition. He however, informed that he has not received the required information from the Titaguri Samabay Samity Ltd. till today,. His e-Mail is entered into the case records.

From the case records it is seen that the petitioner Sri Sanjit Barman filed an RTI petition before the Secretary of Titaguri Samabay Samity Ltd. on 16-8-2013. After receipt of the RTI petition on 23-8-2013 the Secretary, Titaguri Samabay Samity Ltd. wrote to the petitioner asking him to deposit Rs. 45,000/- as cost of photo copy for the required documents. The Secretary of the Samabay Samity who is present today deposed that the petitioner did not deposit the required amount nor did he make any further communication with the Samabay Samity. The Commission notes that the Secretary of the Titaguri Samabay Samity Ltd. did not give any break-up of Rs. 45,000/- required for the photo copying cost.

Moreover, on 24-9-2013 the petitioner filed a complaint petition before this Commission on the ground that he was asked to pay an unreasonable amount of fees .However, the number of documents sought for by the petitioner for the period from 1st January, 2000 to 31st December, 2012 will be quite large, running into a few thousand copies. Although the Secretary of the Samabay Samity did not give the break-up of the cost, the amount of Rs. 45,000/- does not seem to be unreasonable while viewed against the volume of information sought for by the petitioner. Therefore, the complaint does not appear to be based on firm ground.

The Titaguri Samabay Samity is a Cooperative Society, which does not directly come within the ambit of the RTI Act, 2005. However, the information sought for by him relates to public distribution of essential commodities like rice, sugar, kerosene etc. The PDS in the district is administered by the Superintendent, Food and Civil Supplies and Consumer Affairs in the district.

Seen that the original RTI petition was addressed to the Secretary of the Cooperative Society. The complaint against the Secretary does not

stand as it does not come within the purview of the RTI Act, 2005. **However, the required information can be called for from the Samabay Samity by the Suptdt. Food and Civil Supplies and Consumer Affairs deptt. under Section 2(f) of the RTI Act.**

The Commission therefore, **directs the Suptdt. of Food and Civil Supplies and Consumer Affairs Deptt. to obtain the required information relating to PDS from the concerned Samabay Samity, give a date for hearing to the petitioner and allow him to inspect the relevant documents, take notes thereof and also provide photo copies of the documents required by him, free of cost up to 50 copies and on payment of Rs. 2/- for every additional page there-after. This exercise be completed within the period of 30 days from the date of receipt of this order, with intimation to this Commission.**

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

Authenticated true copy.

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

Memo No. **KRJ.06/2013/ -A**

Dtd. 4-8-.2015

Copy to:

1. Jatindra Basumatary, Suptdt. Food & Civil Supplies and Consumer Affairs Deptt. Kokrajhar for information and necessary action.
2. Secretary, Titaguri Samabay Samity, Titaguri, Kokrajhar (BTAD), Assam for information and necessary action.
3. Sri Sanjit Barman, Vill- Barman para, P.O- Titaguri, Dist-Kokrajhar, PIN-783374 for information.
4. Computer Section for uploading in the Website.
5. Office File.

**Secretary & Registrar
Assam State Information Commission**