

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

Case No. : **DHR.6/2012**

Complainant/ appellant : **Md. Sujan Ali**

Respondent : **PIO, SDO(C), South Salmara**

Date of hearing : **12-8-2015**

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

O R D E R

The petitioner Md. Sujan Ali is absent without information. The Public Authority is represented by Sri Liladhar Chakraborti, SPIO, in the office of the SDO (Civil), Hatsingimari.

The second appeal petition dated 16-11-2012 is taken up for hearing ex-parte.

The SPIO has made a written submission dated 11-8-2015, which is entered into the case records.

It is seen from the case records that the original RTI petition was filed by Md. Sujan Ali before the SPIO of the SDO (Civil) Hatsingimari on 9-10-2011. On 31-12-2011 he filed a complaint before this Commission alleging that his RTI petition which was sent by Speed Post was not received by the office of SDO (Civil), Hatsingimari and returned. The Commission forwarded the complaint petition to the Deputy Commissioner, Dhubri on 21-2-2012 for disposal within 30 days. The Deputy Commissioner, Dhubri heard the case on 13-3-2012 and ordered that SDO, Hatsingimari is the appropriate first appellate authority and asked him to dispose of the appeal by taking a hearing himself within 10 days from the date of receipt of the order.

Thereafter, EAC- Hatsingimari heard the complaint in presence of the complainant Md. Sujan Ali and dismissed the complaint petition recording that the allegation that the PIO in SDO (Civil) Hatsingimari's office did not accept the RTI petition on 31-12-2011 was false and the signature put on the photo copy of the envelope dated 22-2-2011 is fake. Being aggrieved by this order the appellant has filed a second appeal petition before this Commission on 16-7-2012.

In the absence of the appellant he could not be heard. However, after consideration of his two prayers, namely: -(a) to direct the concerned Public Authority to furnish the information and (b) to penalize the concerned public authorities, the Commission pass the following orders:-

- 1) The SPIO of the office of SDO (Civil) Hatsingimari is directed to furnish the required information to the petitioner within 15 days from the date of receipt of this order up to 50 copies and against payment of Rs. 2/- per copy for each additional copy thereafter. If the appellant is still not satisfied, then the PIO will allow the appellant to inspect the relevant records/ documents and take notes thereof and also take photo copies of more additional documents required by him on payment of Rs. 2/- per copy within 45 days from the date of receipt of this order.

The public authority will report compliance to the Commission thereafter.

- 2) In view of the order dated 8-5-2012 of the First Appellate Authority of the office of SDO (Civil), Hatsingimari, wherein the Deputy Commissioner had recorded that the signature dated 22-12-2011 put on the photo copy of the envelope is fake and the petitioner's allegation was false, and in the absence of the appellant in today's hearing, the Commission dismisses the complaint of the appellant.

With the above order, the second appeal petition dated 16-11-2012 is disposed of.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam State Information Commission

Memo No. DHR.6/2012/ -A

Dated 12-8-2015

Copy to:

1. PIO, SDO(C), South Salmara, for information & necessary action.
2. Sri Liladhar Chakraborti, SPIO, in the office of the SDO (Civil), Hatsingimari., for information.
3. Md. Sujan Ali, Vill-Bengervita, P.O- Kalapani, Dist- Dhubri, PIN- 783 301 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission

