

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

Case No. : **NGN.2/2012**

Complainant/ appellant : **Shri Tirtha Prasad Goswami**

Respondent : **CDPO, Kapili ICDS Project, Barpujia, Nagaon**

Date of hearing : **18-8-2015**

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

O R D E R

Shri Bhupesh Ch. Bharali, presently CDPO, Barpeta ICDS project and earlier CDPO, Kapili ICDS Project from 4-10-2012 till 18-3-2014 and Sri Debajit Borah, presently CDPO, Mayong ICDS project and earlier, Kapili ICDS project from January, 2009 to 4-10-2012 both are present, in compliance with this Commission's order dated 3-8-2015.

They both admitted that due to various reasons they could not furnish the information to the RTI applicant vide his RTI application dated 3-10-2011 during their tenures as CDPO, Kapili ICDS project as mentioned above. Sri Debajit Borah in his written submission stated that the concerned AWW Smti Indira Saikia furnished the information to the petitioner from 2008 onwards. She reported that the records and registers from 2004 to 2007 were destroyed by flood.

When contacted personally, the petitioner refused to take partial information. He wanted information for the entire period from 1st January, 2004 to 31st October, 2011.

Sri Bhupesh Ch. Bharali has also made a written submission stating that he also had the same difficulties as Sri Debajit Borah due to destruction of records from 2004 to 2007 by flood.

He further stated that on 4-3-2013 he personally met the then Information Commissioner, Sri M. C. Malakar, who asked him to wait for the next instruction from the Commission. But no such instruction was received by him.

In view of the above submissions and Commission's orders at 1 & 2 of 3-8-2015, the Commission lets off both the officers present with an warning not to delay in furnishing information to the RTI applicants. If, for any valid reasons it is not possible to furnish the information sought for under the RTI Act within the prescribed time limit, either fully or partly, then they are advised to inform the RTI applicant accordingly within the stipulated period of 30 days, after which the applicant can move the appropriate appellate authority with appeal or complaint petition, if he deems it necessary

With the above order, the complaint petitions of Sri Tirtha Prasad Goswami are 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. **NGN.2/2012/**

Dtd. 25.8 .2015

Copy to:

1. Shri Bhupesh Ch. Bharali, presently CDPO, Barpeta ICDS project and earlier CDPO, Kapili ICDS Project for information & necessary action.
2. Sri Debajit Borah, presently CDPO, Mayong ICDS project and earlier, Kapili ICDS project for information & necessary action.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission