



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

Case No. : **SNR.09/2013**

Complainant/ appellant : **Shri Dipak Gogoi**

Respondent : **Sri Bijoy Sarkar, I/C BDO  
Chaiduar Development Block**

Date of hearing : **30-9-2015**

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

**O R D E R**

The petitioner/complainant Sri Dipok Gogoi is present. The public authority is represented by In charge BDO, Chaiduar Development Block. The Secretary of Michamari Gaon Panchayat , to whom also notice was sent, is absent without any information..

From a perusal of case records, it is seen that the petitioner submitted his RTI petition dated 8-10-2012 before the Sr. BDO of Chaiduar Development Block, seeking information about:- (i) the amount of grant received by the Michamari G.P, (ii) when the grant was received and (iii) when and where it was utilized. All these information sought for by the petitioner are admissible under the RTI Act.

From a perusal of the case records it is seen that the RTI petition was transferred by the BDO, Chaiduar to the Secretary of Michamari Gaon Panchayat on 4-8-2014, followed by reminders dated 9-9-2014 and 29-9-2014 from BDO, Chaiduar and from the PIO of Sonitpur DRDA.

Being aggrieved by non-receipt of any information or absence of any response from the Secretary of Michamari G.P, the petitioner filed a complaint petition before this Commission on 9-10-2014. When asked , if he would like to pursue the matter as a complaint case under Section 18 of the RTI Act or if he is still interested in receiving the information under Section 19 of the RTI Act, he submitted that he is still interested in getting the information. He made a written submission to this effect , which is entered into the case records. In view of his request his complaint petition is taken up for hearing as an appeal case.

As already mentioned the Secretary of Michamari G.P is guilty for non-furnishing of information to the petitioner, which is clearly admissible under the RTI Act, 2005. The Commission, therefore, directs the Secretary, Michamari G.P to allow the petitioner Sri Dipak Gogoi to inspect the relevant office records and documents within 15 days from the date of receipt of this order and also allow him to take notes as well as photo copies of documents required by him free of cost up to 50 pages and on payment of Rs. 2/- for every additional photo copy thereafter. The petitioner will give at least 2 days' notice to the Secretary for inspection of documents. The Secretary, Michamari G.P will report compliance to this Commission within 15 days from the date of furnishing the required information to the petitioner.

The Secretary of the Michamari G.P is also directed to make a written submission before this Commission within 15 days from the date of receipt of this order

as to why penalty under Section-20 shall not be imposed on him for his failure to comply with the provisions of the RTI Act, 2005 for :-

- (a) his denial to furnish the information to the petitioner so far, and
- (b) for his unauthorized absence at the time of hearing today.

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

**Authenticated true copy.**

**Secretary & Registrar**  
**Assam State Information Commission**

Memo No. **SNR.09/2013/ -A**

**Dtd. 30 -9-2015**

Copy to:,

1. Sri Bijoy Sarkar, I/C BDO, Chaiduar Development Block, Sonitpur for information and necessary action
2. Secretary, Michamari Gaon Panchayat, Sonitpur for information and necessary action.
3. Sri Dipok Gogoi, Michamari, P.O- Halem, Sonitpur, for information .
4. Computer Section for uploading in the Website.
5. Office File.

**Secretary & Registrar**  
**Assam State Information Commission**