

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

Case No. : KMJ.38 /2013

Complainant/ appellant : Md Hifjur Rahman

Respondent : Project Director, DRDA, Karimganj district.

Date of hearing : 03.11.2015

Complaint/ Second : Shri Pinuel Basumatary, IA&AS (Retd)
appeal heard by : State Information Commissioner, Assam

O R D E R
03.11.2015

Public Authority was represented by Block Development Officer, Ram Krishna Nagar Development Block..

Appellant was absent.

Perused the records in the Second Appeal Case.

The following dates are relevant.

12.12.12	RTI Application was filed with the BDO. R.K. Nagar Dev. Block
21.8.13	First Appeal preferred to CEO, Zilla Parishad, Karimganj
09.09.13	Transfer of First Appeal by CEO, Karimganj Zilla parishad to PD, DRDA, Karimganj
11.9.13	Transferred the First Appeal to BDO, R.K. Nagar by PIO, DRDA, Karimganj
12.11.13	Second Appeal filed before the Commission.

Perused also the written statement No.RDB.109/Misc.35/2009/1846 dtd.31.10.15 submitted by SPIO. SPIO has stated that the Applicant had been advised to visit the office and inspect the documents in connection with his application as the same are voluminous and that the latter (applicant) had not responded to that advice.

The views of the Appellant could not be ascertained in his absence.

Considering the above mentioned facts, it is hereby ordered that the SPIO will explain to the Appellant/Applicant in writing the difficulty involved in providing

photocopies of all the documents, he had requested for and that the photocopying all those documents would strain the resources of the SPIO's office and request him to visit the office and inspect the relevant documents. No cost may be recovered from the Applicant for inspection of documents considering the expiry of the 30 days time frame provided for in the RTI Act, 2005.

It is also ordered that if the Appellant/Applicant still desires the information/documents he had sought for, he would respond to the request of the SPIO as mentioned above, taking into public interest involved in making use of public resources within 10 days.

The Commission does not find any record of disposal of the first Appeal submitted by Md Hifjur Rahman dtd 21.8.13 as required by the RTI Act, 2005. As in the instant case BDO is acting as SPIO. PD, DRDA, Karimganj may be appropriate First Appellate Authority. Records indicate that the First Appeal made u/s 6(3) of RTI Act, 2005 was transferred by CEO, Karimganj Zilla Parishad through his letter No. KZP.124/2009/RTI/175/1645 dtd 9.9.13 to PD, DRDA, Karimganj.

It is hereby ordered that PD, DRDA, Karimganj as First Appellate Authority will consider and dispose of the First Appeal of Md Hifjur Rahman and issue a speaking order within 30 days and send a copy thereof to the Commission.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commission

Memo No. KMJ.38/2013/

Dtd. 03.11.2015

Copy to:

1. The Project Director, DRDA, Karimganj District, Assam, Karimganj for information and necessary action.
2. The Block Development Officer, Ramakrishna Nagar Development Block, Ramkrishna Nagar, Dist. Karimganj, Assam, PIN-788166 for information.
3. Md. Hifjur Rahman, Secretary, Anusandar Coordinate Committee, R.K. Nagar Circle, Vill & PO- Ratabari, Dist. Karimganj, PIN-788735 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission