



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

Case No. : CCR.175/2012
Complainant/ Appellant : Md. Mansoor Hassan Barbhuyan.
Respondent : SPIO, O/o the District Transport Officer, Silchar, Cachar.
Date of hearing : 17.12.2015
Complaint/ Second : Shri Pinuel Basumatary, IA&AS (Retd)
Appeal heard by : State Information Commissioner, Assam

O R D E R
17.12.2015

Sri Kaitavjit Buragohain, authorised representative of SPIO, Office of the District Transport Officer, Silchar present.

The Appellant absent without any information.

A perusal of the case records indicate the following sequence of significant dates:

23.03.12 RTI Application filed with the D.T.O., Cachar.
07.04.12 Direction to the Petitioner to deposit cost of photocopying.
15.12.12 First Appeal filed with the Commissioner & Secretary, Department of Transport, Govt. of Assam.
27.06.12 Second Appeal filed before the Commission.
10.12.15 Written Submission by the D.T.O., Cachar submitted to the Commission.

From the case records and personal submission of Enforcement Inspector, Office of the D.T.O., Cachar, the authorized representative of the Public Authority in the hearing, it is seen that the SPIO had communicated to the Petitioner the estimated cost of photocopying well within the specified time of 30 days furnishing of information. The representative of the SPIO submitted that there was no response from the Petitioner and he had made no contact with the SPIO thereafter.

No information has been received in the Commission regarding disposal or transfer of the First Appeal by the Commissioner & Secretary, Department of Transport, Govt. of Assam, to whom the Appeal was made. Perusal of the First Appeal shows that he was aggrieved by the demand for depositing the cost of photocopying. Rationale for his grievance on the said demand has not been made clear in the First Appeal. The Commission has had no benefit of explanatory information on the position in the absence of the Appellant in the hearing or any Written submission from him on the latest position of his RTI Application.

In view of the facts brought out above, the case is remanded to the First Appellate Authority, *i.e.* the Authority to whom the First Appeal had been submitted by the Petitioner, Mansoor Hassan Barbhuyan, to consider and dispose of with a speaking order the First Appeal dated 15/4/2012 within a period of 21 days from the date of receipt of this order.

The Petitioner will be at liberty to approach this Commission, if he is aggrieved with the order of the First Appellate Authority.

For facilitating disposal of the First Appeal by the First Appellate Authority in accordance with the RTI Act, 2005 a copy of the First Appeal dated 15/4/2012 may be sent

to him (FAA)/Commissioner & Secretary, Department of Transport, Govt. of Assam along with this order

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commission

Memo No. CCR. 175/2012 -A

Dtd. 17.12.2015

Copy to:

1. The SPIO, Office of the District Transport Officer, Silchar, PO- Silchar, Dist- Cachar (Assam) for information and necessary action.
2. The First Appellate Authority, Office of the District Transport Officer, Silchar, PO- Silchar, Dist- Cachar (Assam) for information and necessary action.
3. Md. Mansoor Hassan Barbhuyan, C/o- Sri Matahir Ali Barbhuyan, IAS (Retd.), VIP Road, NH 53, Rongpur Part IV, Silchar- 788009 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission