



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

Case No. : MRN.24/2013
Complainant/ Appellant : Sri Samir Bordoloi.
Respondent : SPIO, O/o the Principal Secretary, Tiwa Autonomous Council, Morigaon
Date of hearing : 16.12.2015
Complaint/ Second : Shri Pinuel Basumatary, IA&AS (Retd)
Appeal heard by : State Information Commissioner, Assam

O R D E R
16.12.2015

The SPIO/U.D.A. in the Office of the Principal Secretary, Tiwa Autonomous Council, Morigaon present.

The Complainant absent without any information.

A Perusal of the case records indicates the following sequence of significant dates:

02.07.13 RTI Application filed with the D.C., Morigaon.
09.07.13 Petition transferred to the Principal Secretary, Tiwa Autonomous Council, Morigaon.
15.11.13 Complaint filed before the Commission.

Perused the Written Statement dated 15/12/2015 submitted by the SPIO, Office of the Principal Secretary, Tiwa Autonomous Council, Morigaon. It has been submitted that the information sought for was sent to the Petitioner by a messenger through letter dated 18/7/2013. However, the documents submitted as evidence has a different date on it, namely 20/11/2015.

Further, the SPIO has submitted that the Petitioner refused to receive the information when it was sent to him by a messenger. However, no evidence could be produced for said refusal except the SPIO's own note on the margin of the letter to that effect.

The Commission observes that there is anomaly in the submission made by the SPIO and no evidence could be produced regarding refusal of the Petitioner to receipt the information when it was sent to him.

In the absence of the Complainant the factual position about furnishing of information to him could not be ascertained. The Commission, therefore, hereby orders that the SPIO shall send the information with reference to the RTI Application by registered/speed post in the address given by the Petitioner within a period of 10 days of receipt of this order.

With this, the Complaint case is disposed of.

The Complainant will be at liberty to file a First Appeal before the First Appellate Authority, if he is aggrieved by the action taken by the SPIO for furnishing the information sought for by him.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commission

Copy to:

1. The SPIO in the Office of the Principal Secretary, Tiwa Autonomous Council, Morigaon, PO- Morigaon, PS-Morigaon, Dist- Morigaon (Assam) Pin- 782105 for information and necessary action.
2. Sri Samir Bordoloi, S/o- Late Anandi Bordoloi, Vill- Kushtoli, P.O.- Barangani, P.S.- Laharighat, Dist- Morigaon (Assam), Pin- 782127 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission