



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

Case No. : **DBR 23/2013**

Complainant/ appellant : **Md. Lala Ahmed**

Respondent : **CJM, Dibrugarh .**

Date of hearing : **10-12-2015**

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

O R D E R

The petitioner/appellant Md. Lala Ahmed as well as the public authority to be represented by the SPIO of the office of Chief Judicial Magistrate, Dibrugarh, Dist- Dibrugarh both are absent without information.

However, the First Appellate Authority, i.e., the District and Sessions Judge, Dibrugarh has sent two written submissions dated 3-12-2015 and 4-12-2015 which are entered into the case records.

The second appeal petition dated 17-5-2013 is taken up for hearing ex-parte in the absence of both the parties.

From the case records, it is seen that Md. Lala Ahmed filed an RTI petition dated 5-3-2013 before the Deputy Commissioner, Dibrugarh. Vide letter dated 8th March, 2013 the Additional Deputy Commissioner and PIO of Deputy Commissioner's office, Dibrugarh transferred the RTI petition to the Chief Judicial Magistrate, Dibrugarh. Vide letter dated 14-3-2013 the PIO and Chief Judicial Magistrate, Dibrugarh informed the petitioner that the information sought for by him cannot be supplied due to the following reasons :- (1) the application is not in proper format & (2) Information sought for is vague in nature.

The petitioner filed an appeal petition before the first appellate authority i.e. the District and Sessions Judge, Dibrugarh on 13-3-2013. The first appellate authority, vide his letter dated 9-5-2013 informed the petitioner that his appeal could not be admitted as no rejection order was attached against which the first appeal was preferred and no fees of appeal was deposited.

Being aggrieved with the responses of the concerned public authority i.e., CJM, Dibrugarh and the first appellate authority i.e., the District and Sessions Judge, Dibrugarh the petitioner filed his second appeal petition dated 17-5-2013 before this Commission.

After perusing the original RTI petition dated 5-3-2013 it is seen that the petitioner wanted the last order and judgment in GR C No. 691/2010 which was disposed on 14-2-2013, which, to this Commission means the final order and judgment in the above mentioned case. This Commission sees no vagueness in the information sought for by the petitioner. This Commission would also like to observe that the RTI Act, 2005 is meant for all citizens of the country, including the common man to get the information from the public authorities in a quick, time-bound and practical manner without too many formalities. Therefore, so long as the meaning and content of the RTI petition is clear, insistence of any format does not seem to be in consonance with the spirit of the Act.

It is also observed that the RTI Act as well as the Rules framed by the State Govt. do not prescribe any fees for filing of appeal petitions under the RTI Act which was mentioned in the communication dated 9-5-2013 from the District and Sessions Judge, Dibrugarh to the petitioner Md. L. Ahmed.

Keeping this in mind , this Commission directs the CJM , Dibrugarh to furnish certified copies of the final order of the CJM , Dibrugarh in GR C No. 691/2010 within 15 days from the date of receipt of this order.

With the above order the second appeal petition dated 16-7-2013 is disposed of.

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

Authenticated true copy.

Secretary & Registrar
Assam State Information Commission

Memo No. DBR.23/2013/ -A

Dtd. 10-12-2015

Copy to:,

1. The SPIO of the office of Chief Judicial Magistrate, Dibrugarh, Dist- Dibrugarh for information and necessary action.
2. Md. Lala Ahmed Graham Bazar, Lachit Path, P.O & PS- Dibrugarh for information
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission