



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

Case No. : **KP(M).452/2013**

Complainant/ appellant : **Sri Dulal Bora**

Respondent : **Sri R. Chakravarty**

Date of hearing : **21-12-2015**

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

O R D E R

The public authority is represented by Sri R. Chakravarty, Deputy Secretary and SPIO of Finance Department, Govt. of Assam accompanied by Sri Papu Saikia, Junior Assistant of Finance Department.

The petitioner Sri Dulal Bora is absent. The second appeal petition dated 17-6-2013 is taken up for hearing ex-parte in the absence of the petitioner.

From the case records, it is seen that the petitioner Sri Dulal Bora filed his RTI petition dated 30-3-2013 before the Commissioner of Finance Department followed by his first appeal petition dated 6-5-2013 also before the Commissioner, Finance. Not getting any response to his RTI petition and the first appeal petitions mentioned above, he filed a second appeal petition dated 17-6-2013 before this Commission

The Secretary and the first appellate authority of Finance Department has sent a written submission dated 21st December, 2015 , which is entered into the case records.

The Deputy Secretary and SPIO of Finance Department has submitted a separate written submission dated 21st December, 2015 , which is also entered into the case records.

In his written submission, the SPIO has stated that the relevant public authority to furnish the information on allocation and utilization of funds by the MLAs under MLA Local Area Development Scheme is the Planning and Development Department.

Accordingly, the petitioner was informed by Parliamentary Affairs Department vide letter dated 11th April, 2013. This Commission observes that the Finance Department is responsible for sending the RTI application and the first appeal petition to the Parliamentary Affairs Department and to the Assembly Secretariat , instead to P&D department, who is the appropriate public authority for this RTI petition.

The Commission directs the SPIO of Finance department to be careful in future to avoid such mis-handling of RTI petitions and cause avoidable delay.

This Commission further directs the SPIO of P&D Department to allow the petitioner to inspect the relevant records and documents with reference to his RTI petition dated 30-3-2013 by the petitioner Sri Dulal Bora during office hours on any working day within 15 days from the date of receipt of this order and allow him to take notes and photo copies of relevant documents free of cost up to 100 copies and thereafter on payment of Rs. 2/- for every additional copy.

The position will be reviewed again on **29-1-2016 at 11 A.M**

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

Authenticated true copy.

Sd/-

**Secretary & Registrar
Assam State Information Commission**

Memo No. **KP(M) 452/2013/ -A**

Dtd. 21-12-2015

Copy to:

1. Sri R. Chakravarty, Deputy Secretary and SPIO of Finance Department, Govt. of Assam for information and necessary action, as above.
2. SPIO of Planning and Development Department for information and necessary action.
3. Sri Dulal Bora, Kainadhara Tiniali, House No. 118, Khanapara, Guwahati-22 for information.
4. Computer Section for uploading in the Website.
- 7` Office File.

**Secretary & Registrar
Assam State Information Commission**