



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

Case No. : SIC/CCR.56/2013
Complainant : Md. Mansoor Hassan Barbhuyan.
Respondent : The SPIO, Office of the District Transport Officer,
Silchar, Cachar.
Date of hearing : 24.02.2016
Complaint heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
24.02.2016

The SPIO present with a Written Statement dated 18.02.2016.

The Complainant absent without information.

Perused the case records. It is seen that the Complainant had submitted a Complaint and dated 06.07.2013 by being aggrieved at not receiving the information from the SPIO and any order from the First Appellate Authority (FAA) to his First Appeal dated 16.05.2013. It is also seen that prior to submitting his First Appeal the Complainant had submitted a Complaint dated 05.03.2013 to the Commission in response to which he was advised through a letter dated 20.04.2013 to submit the same to the Public Authority where the RTI Application had been submitted.

Perused the W/S submitted by the DTO, Cachar. It has been submitted that on receipt of the RTI Application dated 02.02.2013 on 04.02.2013, the SPIO/DTO had written to the Applicant through a letter dated 26.02.2013 i.e. within the stipulated 30 days of receipt of the RTI Application, to deposit a sum of Rs. 5000/- towards the cost of photocopying the documents pertaining to the information to be supplied to him. But that there has been no response from the Complainant to this advice and therefore no information/documents could be supplied to him. It has been submitted that since the abovementioned action have been taken within the stipulated time, there have been no delay on the part of the Public Authority in taking action in respect of the RTI Application.

Heard the SPIO. He submitted that the Complainant/Applicant has not approached him or his office in this connection since he took over the charge on March 2014.

It appears from the Complaint/ Second Appeal that the Complainant has not referred to the demand for cost of photocopying. In the absence of the Complainant from this hearing or any communication from him, it could not be ascertained as to whether he had indeed received the aforementioned communication from the DTO, Cachar.

Considering the fact that the Public Authority had advised the RTI Applicant within the stipulated time of 30 days to deposit the cost of photocopying and that there has been no response from him to that direction, it is understandable that the Public Authority was not in a position to provide the information sought for.

In view of the above, the Commission hereby directs the Complainant/RTI Applicant to respond to the demand for depositing the cost of photocopying the documents etc. to be supplied to him as part of the information, in case he is still interested in it. The SPIO in his turn, shall furnish the information within 15 days on receipt of the said deposit.

It is further ordered that the Complainant/RTI Applicant shall be at liberty to submit a fresh First Appeal with the FAA/DTO, Cachar if he is not satisfied with the action taken by the SPIO after he had made the deposit of the cost of photocopying.

With this, the Complaint case is disposed of.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar
Assam State Information Commission

Memo No. SIC/CCR.56/2013/ -A

Dtd. 24.02.2016

Copy to:

1. The SPIO, Office of the District Transport Officer, Park Road, Silchar, Cachar, Dist- Cachar, Assam, Pin- 788001 for information and necessary action.
2. The First Appellate Authority/District Transport Officer, Park Road, Silchar, Cachar, Dist- Cachar, Assam, Pin- 788001 for information and necessary action.
3. Md. Mansoor Hassan Barbhuyan, C/o- M. A. Barbhuyan (IAS, Retd.), Rongpur Part-IV, VIP Road, NH- 53, Silchar, Dist- Cachar, Assam, Pin-788009 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam State Information Commission

