



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

Case No. : SIC/CCR.82/2013  
Appellant : Shri Mrinal Kanti Roy  
Respondent : The SPIO, O/o the Executive Engineer, Industries and  
Commerce Department, Assam.  
Date of hearing : 12.02.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
12.02.2016

The Public Authority is represented by Sri Gopal Chandra Rabha, First Appellate Authority (FAA)/Executive Engineer, Industries and Commerce Department along with Sri Benu Borah, SPIO/Assistant Industries Officer (Civil) assisted by Sri Tapan Kumar Roy, Jr. Asstt., Office of the Executive Engineer, Industries and Commerce Department, Guwahati, Assam. A Written Statement dated 10/2/2016 has been received from the FAA.

The Appellant absent. However, an apology dated 9/2/2016 received with the submission that he was unable to attend the hearing on account of medical condition and prayer that the Commission pass an appropriate order based on his Appeal. The Appellant had submitted in his Second Appeal that he was not satisfied with the information supplied to him.

Perused the W/S of the FAA. It has been submitted that the information sought for by the Appellant/Applicant had been provided to him through letters dated 6/8/2013 and 23/9/2013, the latter being response to Complaint letter dated 17/8/2013 submitted to the SPIO/Assistant Industries Officer (Civil), office of the Executive Engineer, Industries and Commerce Department.

Perusal of the case records and Written Statement submitted by the FAA indicate that the information sought for supplied to the Applicant/Appellant does appear to answer the RTI Application dated 22/7/2013.

From the case records it is also seen that the Appellant/Applicant had not filed First Appeal with FAA which he ought to have done in accordance with the RTI Act, 2005.

In view of the facts brought out above, the Commission hereby orders that, should the Applicant/Appellant be still not satisfied with the information received by him already, he is at liberty to file the First Appeal before the FAA/Executive Engineer, Industries and Commerce Department, Assam specifying the parts of the information/documents that he is yet to receive in response to his RTI Application. It is also ordered that if such Appeal is received, the FAA shall dispose it of within the time frame mandated by the said Act.

With this, the Second Appeal Petition is disposed of.

Sd/-  
Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-  
Dy. Secretary & Dy. Registrar  
Assam State Information Commission

Copy to:

1. The SPIO, Office of the Executive Engineer, Industries and Commerce Department, Assam, Industrial Estate, Bamunimaidam, Guwahati, Pin- 781021 for information.
2. The First Appellate Authority/ Executive Engineer, Industries and Commerce Department, Assam, Industrial Estate, Bamunimaidam, Guwahati, Pin- 781021 for information.
3. Sri Mrinal Kanti Roy, S/o- Late Monoj Lal Roy, Shahid Hitesh Biswas Road, Ambicapatty, P.O.- Silchar, Dist- Cachar, Assam, Pin- 788004 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Secretary & Dy. Registrar  
Assam State Information Commission