



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

Case No. : SIC/DHR.87/2013  
Appellant : Md. Shorhab Ali  
Respondent : The SPIO, O/o the Deputy Commissioner, Dhubri  
Date of hearing : 15.03.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
15.03.2016

Neither party present. However, a Written Statement dated 14.03.2016 received from the First Appellate Authority/D.C., Dhubri.

Received a letter dated 15.03.2016 from Md. Shorhab Ali sending an apology for his absence and deputing a representative, namely Shri Nazimul Hoque. However, for want of any evidence to identify the individual, he is not permitted to sit in the hearing.

However, the Commission has decided to go ahead with the hearing based on the W/S from the Public Authority and the absence of any mention in the Appellant's letter regarding receipt of the information he had sought for.

Perused the W/S. It is seen that the RTI Application dated 01.07.2013 was received in the D.C.'s office on 04.07.2013 and the same was forwarded to the Election Officer, Dhubri the very next day, *i.e.* 05.07.2013. The Election Officer forwarded the same to the A.D.C. (Panchayat Cell), Dhubri through his letter dated 06.07.2013 to provide the information directly to the Applicant regarding query no. 3 of the Application, and wrote to the Applicant/Appellant through letter dated 01.08.2013 requesting him to deposit an amount of Rs. 398/- as cost of photocopying. It has been stated that the Petitioner was yet to make the said deposit and could not therefore be provided the information. It has been submitted that the FAA has not been received the First Appeal dated 26.08.2013.

From the case records it is seen that the information relating query no. 3 had been furnished by the A.D.C. (Panchayat Cell), Dhubri to A.D.C./SPIO, office of the D.C., Dhubri through his letter dated 08.07.2013 with a copy to the Appellant.

From the facts brought out above, it is seen that part of the information had been furnished to the Appellant within days of receipt of the Application and the demand for cost of photocopying had been made well within 30 days. It is however, seen that the Appellant/Applicant had claimed to be BPL card holder in both Application and the First Appeal.

Now therefore, the Commission hereby orders as follows –

1. The SPIO shall provide certified photocopies of upto 25 pages/copies to the Applicant/Appellant, free of cost, considering the Appellant's BPL status and provide certified copies of the rest of the documents on receipt of the cost of photocopying;
2. The Appellant/Applicant shall, if he still interested in the information, deposit the balance amount as cost of photocopying within a period of 10 days of receipt of this order, upon receipt of which the SPIO shall furnish the information within 10 days pertaining to the remaining 2 (two) queries in the RTI Application.

3. The First Appellate Authority shall consider and dispose of the First Appeal, with a speaking order, within a period of 21 days of receipt of this order.

A copy of the First Appeal dated 26.08.2013 may be sent to the First Appellate Authority.

The Second Appeal Petition is hereby disposed of.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar  
Assam Information Commission

Memo No. SIC/DHR.87/2013/ -A

Dtd. 15.03.2016

Copy to:

1. The SPIO, Office of the Deputy Commissioner, Dhubri, P.O.- Dhubri, Dist-Dhubri, Assam , Pin- 783301 for information.
2. The First Appellate Authority/Deputy Commissioner, Dhubri, P.O.- Dhubri, Dist-Dhubri, Assam , Pin- 783301 for information.
3. Md. Shorhab Ali, S/o- Osman Ali, Vill- Boalkamari, P.O.- Boalkamari, Dist- Dhubri, Assam, Pin- 783348 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar  
Assam Information Commission