

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

Case No. : SIC/BPT.49/2016
Appellant : Sri Raj Kumar Das
Respondent : The SPIO, O/o the Chief Engineer, PWD (Roads), Guwahati
Date of hearing : 03.06.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
03.06.2016

The Public Authority is represented by Sri Ajit Kr. Borah, SPIO/S.E. (P) along with Sri Rameswar Basumatary, E.E. (PMGSY), office of the Chief Engineer, PWD (Roads), Guwahati, Assam and Sri Lalit Ch. Konwar, SPIO/A.E.E. (T/C), PWD Barpeta Rural Road Division. A Written Statement dated 01.06.2016 has been received from the PIO/Deputy Secretary to Govt. of Assam, PWD (Roads) Department on behalf of the First Appellate Authority. Written Statements both dated 02.06.2016 received from SPIO/S.E. (P), office of the Chief Engineer, PWD (Roads), Assam and SPIO/A.E.E. (T/C), PWD Barpeta Rural Road Division.

The Appellant present along with a Written Statement dated 03.06.2016.

The representative of the FAA has submitted that at his behest, the concerned SPIO in his office provided information to him with a copy to the Appellant which contains part of the information he had sought for.

Heard the Appellant. He submitted that although he had received the order of the First Appellate Authority dated 22.10.2014 and the further direction dated 17.08.2015 to the SPIO to provide the information, he is yet to receive the remaining information he had sought for, namely Volume II of the DPR of the relevant work. The Appellant further submitted that he had not received the copy of the communication sated to have been issued to him. A copy of the same was shown to the Appellant. On perusal thereof the Appellant stated that he was not satisfied with the information contained in the communication.

Heard the SPIO and his colleagues including the SPIO from the concerned division, namely PWD Barpeta Rural Road Division. It has been submitted that out of the three parts of the information sought for, the one related to part 2 (two) of the DPR could not be traced and following the order of the Commission in case of another RTI Application and Second Appeal an FIR has been lodged at the local Police Station and that final Police report thereon is awaited.

The information already supplied relating to publication of NITs was explained and it was stated that paper cutting and name of the newspapers could not be traced. It was also stated that the NIT etc. in respect of the concerned work have not been uploaded in the Departmental website.

In view of the facts brought out above, the Commission is of the view that considering the submissions by the SPIO, there is hardly any scope of further action under the RTI Act, 2005 with regard to furnishing of information, and that as regards non-availability of certain information that it would be for the Appellant to take up the matter in other appropriate fora for investigation and remedial action.

With this, the Second Appeal Petition is disposed of.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Deputy Registrar
Assam Information Commission

Copy to:

1. The SPIO, office of the Chief Engineer, PWD (Roads), Chandmari, Guwahati, Assam, Pin-781003 for information.
2. The First Appellate Authority/Commissioner & Spl. Secretary to the Govt. of Assam, Public Works (Roads) Department, Assam, Dispur, Guwahati, Pin- 781006 for information
3. The SPIO, office of the Executive Engineer, PWD, Barpeta Rural Road Division, Barpeta, Dist-Barpeta, Assam for information.
4. Sri Raj Kumar Das, House No. 133, Ward No. 13, P.O.- Barpeta, Budarurtup, Dist- Barpeta, Assam, Pin-781301 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar
Assam Information Commission