

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

Case No. : KP(M) 261/2014

Complainant/ appellant : Sri Dulal Bora

Respondent : DIPR

Date of hearing : 31-05-2016

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

O R D E R

The petitioner Sri Dulal Bora is absent. The public authority is represented by:-
(1) Sri Promode Kr. Dutta, SPIO & CIO of the office of DIPR (H.Q), Assam, Guwahati-6, (2) Sri Dina Nath Loying, First Appellate Authority and Joint DIPR. & (3) Smti Rubi Gogoi, SC, DIPR, Assam.

The second appeal petition dated 5-11-2013 is taken up for hearing ex-parte in the absence of the petitioner.

The Director of Information and Public Relations has deputed the Jt. DIPR Sri D.N. Loying to appear before this Commission for today's hearing vide his letter dated 31st May, 2016.

The SPIO and CIO of the office of the Directorate of Information and Public Relations submitted a written submission dated 30th May, 2016 stating, *inter alia*, the actions already taken by the Directorate in response to the petitioner's RTI petition dated 7-6-2013.

He also deposed that the first appeal petition dated 22-7-2013 does not appear to have been received in the office of DIPR, as per their official records.

However, from perusal of the RTI petition dated 7-6-2013 it appears that the petitioner sought detailed information about (1) all the advertisements issued by DIPR for recruitment against various posts under different departments of the Govt. of Assam, for the 5 (five) financial years preceding his RTI application, and (ii) advertisements issued by DIPR for procurement of all materials as well as for all construction works of various departments under Govt. of Assam.

Request for such blanket information does not appear to be in conformity with the requirement of Section 6 (1) of the RTI Act, 2005, which stipulates that a person seeking information shall specify the particulars of information sought for by him or her.

Moreover, compilation and furnishing of such voluminous information are likely to disproportionately divert the resources of the public authority, which is discouraged by Section 7(9) of the RTI Act, 2005. In this context, this Commission also refers to the following observation of the Hon'ble Supreme Court of India in Civil Appeal No. 6454/2011 :-

"....Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the

authorities under the RTI Act should not lead to employees of public authorities prioritising 'information furnishing', at the cost of their normal and regular duties."

In view of the above, this Commission directs the petitioner to reasonably specify the advertisements whose copies he wants and to inform the SPIO of the Director of Information and Public Relations, within 15 days from the date of receipt of this order. The SPIO in the office of the Director of Information and Public Relations is also directed to furnish copies of those specific advertisements within 15 days from the date of receipt of reasonable and specific request of the petitioner, free of cost up to 50 pages of photo copies and thereafter against payment of Rs. 2/- for every additional page of photo copy.

With the above order the second appeal petition dated 5-11-2013 is disposed of.

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

Authenticated true copy.

**Sd/-
Registrar
Assam Information Commission**

Memo No.SIC/KP(M) 261/2014/ 24-A

Dtd. 31-5-2016

Copy to:

1. Director, Information and Public Relations, Assam, Dispur, for information and necessary action.
2. Sri Sri Promode Kr. Dutta, SPIO & CIO of the office of DIPR (H.Q), Assam, Guwahati-6 for information and necessary action.
3. Sri Dulal Bora, Koinadhara Tiniali, House No. 118, Khanapara , Guwahati-1 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book

**Registrar
Assam Information Commission**