

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

Case No. : SIC/BPT.58/2016
Appellant : Sri Kanku Dutta.
Respondent : The SPIO, O/o the Chief Executive Officer, Barpeta Zilla
Parishad, Barpeta
Date of hearing : 18.06.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
18.06.2016

Sri Raj Kumar Das, an authorized representative is present on behalf of the SPIO. He submitted a Written Statement dated 11.06.2016 from the SPIO.

Md. Omar Khayyam, SPIO, office of the C.E.O., Barpeta Zilla Parishad is present.

Perused the W/S from the Appellant. It has been submitted that he has not received the information that he had sought for therefore, he has requested for the information free of cost, for penalty to be imposed on the SPIO under Section 20 (1) of the RTI Act, 2005 and recommendation for disciplinary action on the SPIO under the same Section.

Heard the representative of the Appellant. He reiterated the submissions made in the W/S.

Heard the SPIO. He has submitted that the information sought for through RTI Application dated 21.05.2015 is on the same work on which the Appellant has sought information relating to the years 2014-15 and 2015-16. Except that the information sought for through the instant Application pertains to the year 2013-14 and that could not be provided for the same reason as for another Application which was submitted during the hearing of the Second Appeal case no. SIC/BPT.59/2016 in course of the day.

Perused the case record. It is seen that the submission made by the SPIO regarding the subject matter of the Appeal is based on facts. In other words, the instant Second Appeal is on the Application for information on the same work of construction of Zilla Parishad Complex under BRGF scheme in the year 2013-14.

In view of the facts brought out above, the Commission hereby reiterates the order passed in respect of the case no. SIC/BPT.59/2016 as follows –

1. The SPIO shall obtain all the information sought for by the Appellant to the extent that is available for the year 2014-15 and 2015-16 and provide it to the Appellant, free of cost, within 10 days of receipt of this order;
2. The First Appellate Authority/C.E.O., Barpeta Zilla Parishad shall consider and dispose of the First Appeal dated 27.09.2015, with a speaking order, within 21 days of receipt of this order.

Give a copy of the W/S dated 18.06.2016 submitted by the SPIO to the representative of the Appellant.

With this, the Second Appeal Petition is disposed of.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar

Memo No. SIC/BPT.58/2016/ 11 -A

Dtd. 18.06.2016

Copy to:

1. The SPIO, office of the Chief Executive Officer, Barpeta Zilla Parishad, Dist- Barpeta, Assam, Pin- 781301 for information and necessary action.
2. The First Appellate Authority/Chief Executive Officer, Barpeta Zilla Parishad, Dist- Barpeta, Assam, Pin- 781301 for information and necessary action.
3. Sri Kanku Dutta, S/o- Sri Dhiraj Kumar Dutta, Ward No. 19, Metuwakuchi, P.O. & Dist- Barpeta, Assam, Pin- 781301 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission