



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

Case No. : SIC/BPT.55/2016
Complainant/Appellant : Sri Kuldip Kr. Das.
Respondent : The SPIO, O/o the Chief Engineer, PWD (Roads), Assam
Date of hearing : 10.06.2016
Complaint/Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
10.06.2016

Sri Rameswar Basumatary, Executive Engineer (PMGSY), office of the Chief Engineer, PWD (Roads), Assam, representative of the SPIO is present along with an assistant and submitted a Written Statement dated 09.06.2016 from the SPIO.

The Complainant/Appellant present.

Perused the W/S. It has been submitted that the information to the first seven items had been furnished to the Applicant through a letter dated 17.10.2015 and the items 8 to 11 transferred to the Executive Engineer, Barpeta Rural Road Division through a letter dated 19.09.2015. It has been added that the First Appeal had been disposed of by the First Appellate Authority after hearing. However, as the Appellant was not satisfied with the summary order of the First Appellate Authority, he had appealed for a speaking order. As the Appellant did not turn up on the two scheduled days of hearing, the hearing process was yet incomplete.

Heard the Complainant/Appellant. He submitted that he is still interested in the information and would like the Commission to treat his Complaint as Second Appeal so that the information can be provided. He submitted a written request in this regard. He detailed the shortcomings and discrepancies he has noticed in the information supplied to him, and non-submission of information by the Barpeta Rural Road Division relating to part of the Application that had been transferred under Section 6 (3) of the RTI Act, 2005. The Appellant also added that he had not received the notice of the hearing by the First Appellate Authority in response to his Appeal for a speaking order.

Perused the case record. It is seen that the shortcomings and discrepancies are significant in number and therefore, this need to be addressed carefully and closely by the SPIO, office of the Chief Engineer, PWD (Roads), Assam. Further, the SPIO, office of the Executive Engineer, Barpeta R.R. Division has defaulted in the matter of providing information in accordance with the said Act relating to items 8 to 11 of the RTI Application.

In view of the facts brought out above, the Commission hereby orders as follows –

1. The SPIO, office of the Executive Engineer, Barpeta Rural Road Division shall provide the information relating to items 8 to 11, free of cost, within 10 days of receipt of this order. Should any part of the information be not available for furnishing the same to the Appellant, the SPIO shall provide a detailed explanation to the Appellant for non-availability of those information;
2. The Appellant shall communicate with the SPIO within 10 days of receipt of this order detailing the shortcomings and discrepancies in the information already provided to him. On receipt of such communication, the SPIO, office of the Chief Engineer, PWD (Roads), Assam shall address closely each of the issues raised by the Appellant and furnish reply

along with relevant information/documents to the Appellant, within 21 days of receipt of such communication;

3. The First Appellate Authority/Chief Engineer, PWD (Roads), Assam shall hear the First Appeal dated 19.10.2015 of the Applicant, within 30 days of receipt of this order.

With this, the Second Appeal case disposed of.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar
Assam Information Commission

Memo No. SIC/BPT.55/2016/ 30 -A

Dtd. 10.06.2016

Copy to:

1. The SPIO, office of the Chief Engineer, PWD (Roads), Assam Guwahati, Pin- 781003 for information and necessary action.
2. The SPIO, office of the Executive Engineer, Barpeta Rural Road Division, Dist- Barpeta, Assam for information and necessary action.
3. The First Appellate Authority/ Chief Engineer, PWD (Roads), Assam Guwahati, Pin- 781003 for information and necessary action.
4. Sri Kuldip Kr. Das, Metuwakuchi, Gajia Road, Ward No.-19, P.O. & Dist- Barpeta, Assam, Pin- 781301 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar
Assam Information Commission