



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

Case No. : SIC/KP(M).256/2014  
Appellant : Sri Harinarayan Pathak  
Respondent : The SPIO, O/o the  
1. Finance Department, Govt. of Assam, Dispur  
2. Director of State Lotteries, Dispur  
Date of hearing : 09.06.2016  
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
09.06.2016

The petitioner Sri Harinarayan Pathak is present.

The Public Authority is represented by Sri Dipak Majumdar, ACS, Joint Secretary, Finance Department/Director of State Lotteries & SPIO, Sri Mahadev Ch. Baishya, Deputy Secretary & SPIO, Finance Department (Estt-B) assisted by Sri Bornali Gogoi, Jr Administrative Assistant, Finance Department.

The Commissioner & Secretary, Finance Department and First Appellate Authority vide written statement dated 28.02.2014 stated that the First Appeal of Sri Harinarayan Pathak dated 02.09.2013 was heard on 28.02.2014 and disposed of with a speaking order wherein it was stated that vide letter dated 28.05.2013, the SPIO had forwarded the appellant the letter no. FEA/121/2004/207 dated 24.05.2013 containing information against point no. 10 & 11. He also directed the SPIO, Director of State Lotteries to furnish the information as available and that can be provided under RTI Act within 7 days from the date of receipt of the order.

On perusal of records, it appears that the petitioner Sri Harinarayan Pathak had filed an RTI petition on 22.04.2013 seeking information on 12 points out of which information on two points i.e. 10 and 11 had already been provided by the SPIO as stated in the order of the First Appellate Authority referred to above.

The SPIO has submitted a written statement that information had already been furnished vide letter dated 11.03.2014.

- i. Photocopy of the public document i.e. a copy of the notification was furnished by the Finance Department to the petitioner. The notification was dated 12.02.1996 and not dated 01.02.1996 as stated in the petition.
- ii. The petitioner objected that copy of the Cabinet memorandum and extract of the Cabinet decision for discontinuation of Assam State Lotteries Draws was not furnished by the SPIO, Finance Department. The SPIO & deputy Secretary, Finance Department furnished stated that the matter was related to the Finance Taxation Department and hence information will be available with the Finance Taxation Department. They had verbally taken up the matter with the Finance Taxation Department after receipt of the hearing notice dated 31.05.2016 of the Commission but could not collect the information and would require some time.
- iii. The petitioner stated that even though information was furnished with regards to point no. 3 & 8, the same was not authenticated by any officer.
- iv. The petitioner objected that the information on point no. 4 was not furnished to him. The Joint Secretary Finance Department & Director i/c, State Lotteries stated that the petitioner could inspect the documents in the office of the Director of State Lotteries and thereafter request for photocopies of specific documents he required.

- v. As regards point no. 5, 6 & 7, the petitioner sought for the information regarding budget allocation and total expenditure in each category as well as details of new recruitments. The SPIO, Finance Department and Director, i/c State Lotteries present stated that the petitioner was not specific in which category information was required and stated that they would furnish to him copies of printed budget which was agreed to by the petitioner. It was also stated that there was no new recruits and hence question of furnishing of information does not arise.
- vi. The petitioner stated that even though a list of directors had been furnished in the reply dated 11.03.2014 as per the point no. 8 of his petition, the same was not authenticated by any officer and that copies of notifications sought for vide point no. 9 was not furnished.

The Commission therefore directs the SPIOs present to authenticate the documents as discussed above and also to furnish the information which is yet to be furnished to the petitioner within 30 days from the date of receipt of this order.

With the above direction, the Second Appeal petition dated 03.04.2014 is disposed of.

Sd/-

Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar  
Assam Information Commission

Memo No. SIC/KP(M).256/2014/28 -A

Dtd. 09.06.2016

Copy to:

1. The SPIO, Office of the Finance Department, Govt. of Assam, Dispur, Guwahati, 781006 for information and necessary action.
2. The SPIO, Office of the Director of State Lotteries, Assam, Housefed Complex, Dispur, Guwahati-781006 for information and necessary action.
3. The First Appellate Authority/Finance Department, Govt. Of Assam, Dispur, Guwahati-781006 for information.
4. Sri Harinarayan Pathak, Padumpukhuri, Uzan Bazaar, Guwahati-1 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar  
Assam Information Commission