

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

Case No. : SIC/KAN.13/2016  
Appellant : Sri Indra Rongphar  
Respondent : The SPIO, O/o the Executive Engineer, Agriculture Engineering,  
Diphu, Karbi Anglong  
Date of hearing : 08.06.2016  
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
08.06.2016

The petitioner Sri Indra Rongphar is present. He has submitted a written statement dated 06.06.2016 that he has not received the information as sought for from the SPIO.

The Public Authority is represented by Sri Tulsi Gogoi, JE & PIO, Office of the Executive Engineer, Agriculture Engineering, Karbi Anglong. He has submitted a written statement furnished by the Executive Engineer, Agriculture Engineering, Karbi Anglong dated 03.06.2016 that on receipt of the RTI petition on 21.01.2016 and the First Appeal on 03.03.2016, the department had informed Sri Indra Rongphar vide letter dated 11.03.2016 about non availability of all the records and that the Project Officer, WDPSCA, Karbi Anglong was requested to provide the relevant records. The petitioner present stated that he had not receipt the said letter.

During the hearing, the SPIO informed that most of the documents sought for by the petitioner was not available with them and vide letter dated 17.11.2015, they had sought for information from the Project Officer, WDPSCA.

The Commission observes that the Project Officer, WDPSCA has failed to furnish the information to the petitioner and there has been inordinate delay furnishing the information. As the information is not available in the office of the Executive Engineer, Agricultural Engineering Department, Karbi Anglong, the concerned official of the WDPSCA who is holding the information is considered as deemed PIO under Section 5 (4) and 5 (5) of the RTI Act, 2005 and he is directed to furnish the views of WDPSCA to Agricultural Engineering Department, Karbi Anglong within 15 days from the date of receipt of this order, who in turn will furnish the required information to the petitioner within 7 days thereafter.

With the above direction, the Second Appeal petition dated 03.05.2016 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/KAN.13/2016/ 13-A

Dtd. 08.06.2016

Copy to:

1. The SPIO, Office of the Executive Engineer, Agriculture Engineering, Diphu, Dist- Karbi Anglong, Diphu, Assam for information and necessary action.
2. The SPIO, office of the Project Officer, WDPSCA, Karbi Anglong Autonomous Council Diphu, Dist- Karbi Anglong, Diphu, Assam for information and necessary action.
3. The First Appellate Authority/ Executive Engineer, Agriculture Engineering, Diphu, Dist- Karbi Anglong, Diphu, Assam for information and necessary action.
4. Sri Indra Rongphar, Vill- Chirimokam, PO- Donkamokam, Dist- Karbi Anglong, Diphu, Assam, Pin-782485 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar  
Assam Information Commission