



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

Case No. : SIC/BPT.71/2016  
Appellant : Shri Raj Kumar Das.  
Respondent : The SPIO, O/o the Executive Engineer, PWD Barpeta Rural  
Road Division, Barpeta  
Date of hearing : 04.07.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
04.07.2016

Sri Lalit Ch. Konwar, SPIO/A.E.E. (T/C), PWD Barpeta Rural Road Division present along with a Written Statement dated 28.06.2016. A Written Statement dated 30.06.2016 received from the First Appellate Authority/Deputy Secretary to the Govt. of Assam, PWD Department.

The Appellant present along with a Written Statement dated 03.07.2016.

Perused the W/S from the FAA. It has been submitted that the First Appeal dated 04.09.2014 was heard on 15.10.2014 and order issued directing the Executive Engineer, PWD Barpeta R.R. Division to make documents available to the Appellant for inspection during the specified period.

Perused the W/S from the SPIO. It has been submitted that in compliance with the above mentioned order of the First Appellate Authority documents were offered for inspection during the period from 16.10.2014 to 30.10.2014. The Appellant inspected the documents available in the office but complained to the FAA that no document was made available by the SPIO for inspection. The FAA then issued a letter to the said Executive Engineer to furnish the information to the Appellant for inspection. Accordingly, the Appellant was invited for inspection through a letter dated 10.09.2015 but the Appellant did not respond.

Heard the Appellant and perused the W/S submitted by him. It has been submitted that he was not provided with complete documents for inspection, and that he has noticed multiple discrepancies including destruction of some records. He also submitted the evidence and discrepancies in the information/copies of documents provided to him.

Heard the SPIO. He submitted that parts that related to work order, tender agreement, DPR and modified drawings etc. are held by Chief Engineer, PWD (Roads) and parts relate to First R.A. bill, M.B. relating to First R.A. bill are held by Assistant Executive Engineer, PWD Barpeta R.R. Division.

The matter is not merely about providing information but about allegations of providing incomplete and manipulated documents, the Appeal case has now implications of grievance, charges of poor record maintenance and tampering of records. A copy of the said submission by the Appellant with copies of the documents supporting his allegation is enclosed with the W/S. A copy thereof has been handed over to the SPIO during the course of the hearing.

In view of the facts brought out above, the Commission hereby orders that the SPIO shall carefully go through the Appellant's Complaint and provide the latter (the Appellant) a detailed, to-the-point reply along with certified copies of appropriate documents as evidence, within 21 days of receipt of this order.

In respect of the documents/information which may be held by the sub-ordinate office, the SPIO, office of the Executive Engineer, Barpeta R.R. Division shall procure the information by seeking assistance from the deemed SPIO under Section 5 (4) of the RTI Act and provide the same to the Appellant. This would be more efficient in the matter of time required for providing the information rather than transferring it. Further, should any part of the information/documents be held by the office of the Chief Engineer, PWD (R), that part shall be transferred under Section 6 (3) of the Act to that authority which shall provide the information to the Appellant, within the said 21 days of receipt of this order.

Further, should the Appellant not be satisfied with the action taken by the SPIO, office of the Executive Engineer and SPIO, office of the Chief Engineer, PWD (Roads), Assam in terms of this order, he shall be at liberty to file a fresh First Appeal with the appropriate First Appellate Authorities namely, Executive Engineer, PWD Barpeta Rural Road Division respectively.

With this, the Second Appeal Petition is disposed of.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar  
Assam Information Commission

Memo No. SIC/BPT.71/2016/78 -A

Dtd. 04.07.2016

Copy to:

1. The SPIO, office of the Executive Engineer, PWD Barpeta Rural Road Division, Dist- Barpeta, Assam for information and necessary action.
2. The First Appellate Authority/Deputy Secretary to Govt. of Assam, PWD (Roads) Department, Dispur, Guwahati- 781006 for information.
3. The SPIO, office of the Chief Engineer, PWD (Roads), Assam, Chandmari, Guwahati- 781003 for information and necessary action.
4. Shri Raj Kumar Das, House No. 133, Ward No. 13, P.O.- Barpeta, Dist- Barpeta, Assam, Pin- 781301 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar  
Assam Information Commission