



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

Case No. : KP(M).99 /2013
Complainant/ Appellant : Md. M.H. Barbhuiyan
Respondent : Inspector General of Registration/Judicial Deptt., Govt. of Assam
Date of hearing : 5.7.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
5.7.2016

The petitioner Md. M.H. Barbhuiyan is absent without information. The public authority is represented by:- (1) Shri Piyali Kalita, SPIO cum Joint L. R., Judicial Department, Govt. of Assam, and (2) Shri Munindra Goswami, Jr. Administrative Assistant of Judicial Deptt. The second appeal petition dtd 27.11.12 is taken up for consideration ex-parte in absence of the petitioner.

From perusal of the case records it is seen that the petitioner filed an RTI petition dtd 12.7.12 before the SPIO of the office of the Inspector General of Registration, Govt. of Assam. Vide a letter dtd 1st August, 2012, the RTI petition was transferred to the Deputy Secretary to the Govt. of Assam, Judicial Department with a request to provide the information directly to the petitioner.

The SPIO cum Jt. L.R. & Joint Secretary to the Govt. of Assam, Judicial Department has submitted a written statement dtd 1.7.16 stating, inter alia, that due to transfer of the concerned Deputy Secretary to the Hon'ble Gauhati High Court there was mishandling of the RTI petition resulting in delay in disposal of the RTI petition. However, after examination of the subject matter of the RTI petition it was found that it relates to revenue Department. Accordingly it was forwarded to Revenue Department, Govt. of Assam vide letter dtd 16.11.12 for necessary action with intimation to the petitioner. Subsequently, the first appeal and second appeal petitions dtd 8.10.12 and 27.11.12 respectively were also forwarded to the Revenue Department.

The gist of the written submission is that the action lies with the Revenue Department. In absence of the petitioner it could not be ascertained whether he has meanwhile received the information from the Revenue Deptt. If not, this Commission directs the SPIO of Revenue Department to allow the petitioner to inspect the relevant records and documents during office hours on any working day within 15 days from the date of receipt of this order and also allow him to take notes and photocopies of required documents free of cost up to 25 copies and thereafter on payment of Rs. 2.00 for every additional page of photocopy.

With the above order, the second appeal petition dtd 27.11.12 is disposed of

Sd/-
(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/ KP(M).99/2013/22-A

Dtd. 5.7.2016

Copy to:

1. The SPIO of the office of the Revenue Department, Govt. of Assam, Revenue Department, Dispur, Guwahati-6 for information and necessary action.
2. The SPIO of Judicial Department, Govt. of Assam, Dispur, Guwahati- 6 for information.
3. Md. M.H. Barbhuiyan, VIP Road, NH-53, Rongpur Pt. IV, Silchar-788009 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar
Assam Information Commission