



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

Case No. : SIC/DHR.88/2014  
Appellant : Md. Hafizur Rahman.  
Respondent : The SPIO, O/o the District Agricultural Officer, Dhubri  
Date of hearing : 13.07.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
13.07.2016

The Appellant absent without information.

The SPIO present along with a Written Statement dated 12.07.2016. The First Appellate Authority/District Agricultural Officer, Dhubri has submitted a Written Statement dated 13.07.2016 in respect of the First Appeal filed by the Appellant. Md Nurul Islam, VLEW, Dayachar Eleka is also present along with a W/S dated 13.07.2016.

Perused the case record. It is seen that the Appellant had filed his Second Appeal dated 04.12.2014 being aggrieved at not receiving the information he had applied for from the SPIO, office of the DAO, Dhubri through his Application dated 19.09.2014, and lack of response to his First Appeal. The information sought pertained to allotment of inputs and list of beneficiaries in respect of one particular VLEW area.

Perused the W/S from the DAO, Dhubri. It has been submitted that on receipt on 19.09.2014 the RTI Application was transferred to Dayachar VLEW Eleka under Singimari ADO Circle the next day *i.e.* 20.09.2014. It is also submitted that the First Appeal was 'endorsed' to the SDAO, Dhubri on 30.10.2014.

Heard the SPIO and perused his W/S. He reiterated the position submitted in the DAO's W/S.

Heard the VLEW and perused the W/S from him. He clarified that information relating to beneficiaries list had been provided to the Applicant, and that he was informed that the information relating to allotment of inputs was available with the Sub-Divisional Agricultural Office.

From the above, it is seen that the information has been provided partially to the Appellant and the information relating to allotment would have to be provided by the concerned SDAO.

Considering the presentation of facts above, the Commission hereby observes that proper procedure has not been followed in respect of the instant RTI Application and the First Appeal. The attention is drawn to the District Agricultural Officer, Dhubri to the fact that, being the First Appellate Authority, it was his responsibility to dispose of the First Appeal. Further, the proper course of action on the part of the SPIO would have been to provide the information to the Appellant by procuring that part of the information which was not available in that office by seeking assistance under Section 5 (4) of the RTI Act, 2005, instead of transferring it to the VLEW.

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

1. The SPIO, office of the District Agricultural Officer, Dhubri shall furnish the Appellant the remaining information, namely information relating to allotment of inputs, by registered post, within 10 days of receipt of this order; and
2. The District Agricultural Officer, Dhubri as First Appellate Authority shall consider and dispose of the First Appeal dated 04.12.2014, with a speaking order, within 21 days of receipt of this order.

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/DHR.88/2014/ -A

Dtd. 13.07.2016

Copy to:

1. The SPIO, office of District Agricultural Officer, Dhubri, Dist- Dhubri, Assam for information and necessary action.
2. The First Appellate Authority/District Agricultural Officer, Dhubri, Dist- Dhubri, Assam for information and necessary action.
3. Md. Hafizur Rahman, Vill- South Moynabondha, P.O.- Fekamari, Dist- Dhubri, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar  
Assam Information Commission