



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

Case No. : SIC/DHR.96/2013
Appellant : Md. Shorhab Ali
Respondent : The SPIO, O/o the District Agricultural Officer, Dhubri
Date of hearing : 15.07.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
15.07.2016

The SPIO present along with Written Statement dated 13.07.2016.

The Appellant absent without information.

Perused the case record. It is seen that the Appellant had filed his Second Appeal dated 04.12.2013 after he failed to receive the information he had sought for through his Application dated 03.06.2013 and response to his First Appeal dated 26.08.2013.

Perused the W/S. It has been submitted that the letter from the SPIO, office of the D.C., Dhubri to whom the Application had originally been made could not be traced. However, the office has record of having sent a letter to the Appellant by registered post on 07.08.2013.

Heard the SPIO. He submitted that the content of the aforementioned letter dated 07.08.2013 could not be ascertained as no copy of the letter could be found on record. Based on the copy of the RTI Application received from the Commission along with its hearing notice which was received on 08.07.2016 action will now be taken to provide the information sought for.

It is seen that the Appellant had filed his RTI Application to an inappropriate SPIO as he had applied for the information from the SPIO, office of the D.C., Dhubri instead of from the appropriate SPIO in the Agricultural Department in the district. Likewise, he had filed his First Appeal to the D.C., Dhubri instead of the appropriate First Appellate Authority in the said department in the district.

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

1. The SPIO, office of the D.A.O., Dhubri shall offer for inspection the records/documents related to the information sought for by the Appellant, within 7 days of receipt of this order;
2. On receipt of the above mentioned communication from the SPIO, the Appellant shall visit the former's office during office hours, inspect records, take notes as appropriate and specify the documents photocopies of which would be require.
3. On receipt of the request for photocopies from the Appellant, the SPIO shall furnish the same to the Appellant free of cost upto 50 copies and copies beyond that number on payment of the cost of photocopying at the rate prescribed under the RTI Act, 2005 by the Appellant. The entire exercise shall be completed within 3 days of the first inspection.

Further, considering that the Appellant's submission of the RTI Application and the First Appeal to inappropriate SPIO/First Appellate Authority, possible misplacement of his

Application/First Appeal and consequent delay, he is hereby advised to follow the proper procedure in seeking information under the Act.

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.96/2013/ -A

Dtd. 15.07.2016

Copy to:

1. The SPIO, office of the 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.
3. Md. Shorhab Ali, S/o- Oshman Ali, Vill- Boalkamari Pt.-I, P.O.- Boalkamari, Dist- Dhubri, Assam, Pin- 783348 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission