

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

Case No. : SIC/BPT.67/2016
Appellant : Shri Raj Kumar Das.
Respondent : The SPIO, O/o the Executive Engineer, P.W.D. Barpeta (R.R.)
Division, Barpeta
Date of hearing : 01.07.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
01.07.2016

Both the SPIO and the Appellant present. Written Statements dated 23.06.2016 and 28.06.2016 received from the First Appellate Authority/Executive Engineer, PWD Barpeta (R.R.), Division and the SPIO.

Perused the Written Statements. It has been submitted that the Appellant has been informed in writing that the records pertaining to the work on which information was sought were not available and therefore, no information as sought for could be provided.

The Appellant submitted that he was aggrieved with the fact that records on the work are stated to be not available although he had himself executed the work without being paid.

From the case record, W/Ss and personnel depositions, it is seen that although the work was indeed done records relating to the same are not available in the office of the SPIO and hence, the reply of the SPIO. Since only such information is available with the Public Authority can be provided under the RTI Act, in the instant case it is now a question of departmental proceedings to determine the reason for such record not being available and for fixing responsibility. It would therefore be upto the departmental authorities to go into this matter and the Appellant is at liberty to seek redressal of his grievance in this regard.

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.67/2016/22 -A

Dtd. 01.07.2016

Copy to:

1. The SPIO, office of the Executive Engineer, Barpeta P.W.D. (R.R.) Division, Dist- Barpeta, Assam for information and necessary action.
2. The First Appellate Authority/Executive Engineer, P.W.D. Barpeta Rural Road Division, Dist- Barpeta, Assam for information and necessary action.
3. The Chief Engineer, P.W.D. (Roads), Assam, Chandmari, Guwahati-781003 who may like to address the issue of non-available records relating to the work that has been executed.
4. Shri Raj Kumar Das, H/No.-3, 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