

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

Case No. : SIC/KAN.77/2016  
Appellant : Sri Indra Rongphar.  
Respondent : The SPIO, O/o the Addl. Chief Engineer, Irrigation (Zone-IV) Diphu  
Date of hearing : 26.07.2016  
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam

**O R D E R**

26.07.2016

The petitioner Sri Indra Rongphar has informed vide written statement dated 26.07.2016 that he has not received the information sought for vide his RTI petition dated 09.10.2014 from the SPIO, office of the Addl. Chief Engineer, Irrigation, Zone-IV, Diphu and that he will not be able to attend the hearing today.

The Public Authority is absent without any intimation.

In view of large number of cases pending before the Commission, the matter is taken up for consideration based on records.

On perusal of case records, it appears that the petitioner had filed an RTI petition dated 09.10.2014 before the SPIO & Under Secretary to the Govt. of Assam, Irrigation Department, Chandmari. The same was transferred to the SPIO, office of the Hills Areas Department, Dispur and the SPIO, office of the Principal Secretary, KAAC, Diphu vide letter dated 17.11.2014. The petitioner filed First Appeal before the Principal Secretary, KAAC, Diphu on 27.12.2014 for release of information. The Joint Secretary, i/c RTI, KAAC, Diphu transferred the same to the Addl. Chief Engineer, Irrigation, Zone-IV, Diphu to furnish the required information directly to the applicant. Due to non-receipt of information, the petitioner filed Second Appeal petition before the Commission on 07.04.2015.

The Commission observes that there is no evidence of information furnished to the petitioner by the SPIO, office of the Addl. Chief Engineer, Irrigation, Zone-IV, Diphu, Karbi Anglong or any evidence of the First Appellate Authority having disposed of the First Appeal petition.

In view of the fact stated above, the Commission hereby orders as follows:

- i. The SPIO, office of the Addl. Chief Engineer, Irrigation, Zone-IV, Diphu, Karbi Anglong shall furnish the information sought for by the petitioner within 21 days from the date of receipt of this order; and
- ii. The First Appellate Authority *i.e.* the Addl. Chief Engineer, Irrigation, Zone-IV, Diphu shall hear and dispose of the First Appeal dated 27.12.2014 with a speaking order within a period of 30 days from the date of receipt of this order.

With this, the Second Appeal petition dated 07.04.2015 is disposed of. The Petitioner will be at liberty to move this Commission with Appeal or Complaint petition as the case may be, if he is not satisfied with the information furnished by the SPIO or due to non-disposal of his First Appeal by the First Appellate Authority.

Sd/-

Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar  
Assam Information Commission

Memo No. SIC/ KAN.77/2016/12 -A

Dtd. 26.07.2016

Copy to:

1. The SPIO, office of the Addl. Chief Engineer, Irrigation, Zone-IV, Diphu, Dist- Karbi Anglong, Assam for information and necessary action.
2. The First Appellate Authority/Addl. Chief Engineer, Irrigation, Zone-IV, Diphu, Dist- Karbi Anglong, Assam for information and necessary action.
3. Sri Indra Rongphar, Vill- Chirimokam, P.O.- Donkamokam, Dist- Karbi Anglong, Assam, Pin- 782485 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar  
Assam Information Commission