

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

Case No. : SIC/KP(M)10/2016  
Appellant : Shri Harinarayan Pathak  
Respondent : The SPIO, O/o Sankardev Kalakhetra, Panjabari, Guwahati-781037  
  
Date of hearing : 18.10.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
18.10.2016

The Appellant Shri Harinarayan Pathak is present.

The SPIO, Shri Biren Sarmah, Junior Asstt., Srimanta Sankardev Kalakhetra Society, Panjabari, Guwahati is present. He has submitted Written Statement dated 18.10.2016.

Perused the case record and heard the Appellant. The Second Appeal was made after the Appellant did not receive the information he had sought for, and response from the First Appellate Authority to his First Appeal. The Appellant was aggrieved too on being informed by the SPIO that his RTI Application had not been received despite the same had been sent by Speed Post. Further, his First Appeal dated 10.05.2014, sent by Speed Post, was returned to him with the Postal Deptt. comment that the addressee had refused to receive the same.

Perused the Written Statement. It is seen that the RTI Application had been misplaced and therefore, the Appellant was asked to resubmit the same. After the information as available at the time was furnished to the Appellant through two letters dated 19.06.2014 and 04.07.2014, he was advised to visit the office for personal verification of record if he was not satisfied with information furnished to him.

Heard the SPIO. He submitted that information on further developments on the subject matter of the RTI Application can be provided to the Appellant, if he so desired.

The Commission observes that a Public Authority is to provide information to RTI Applicant based on record, and in the instant case, the needful was done by the SPIO. However, as the information on the subsequent action taken was considered relevant by the Appellant, and ready to be provided, the same was handed over in the course of the hearing.

Based on the facts brought out above, the Commission observes that the delay in providing the information to the RTI Applicant by the SPIO happened primarily because of the apparent absence of a sound system of in the office for dealing with RTI Applications, and that there is a need to streamline the system in the office with a view to fully comply with the provisions of the RTI Act, 2005. This is an issue for the Secretary of the Society to address urgently.

With this, the Second Appeal case is hereby disposed of.

Sd/-  
Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Sd/-  
Dy. Registrar  
Assam State Information Commission

Memo No. SIC/KP(M)10/2016/  
Copy to:

Dtd. 18.10.2016

1. The SPIO, O/o the Sankardev Kalakhetra, Panjabari, Guwahati- 781 037, Assam for information and necessary action.
2. The First Appellate Authority/ Secretary, Sankardev Kalakhetra, Panjabari, Guwahati- 781 037 for information.
3. The Appellant, Shri Harinarayan Pathak, Padam pukhuri, Uzan Bazar, Guwahati- 781 001, Assam, for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Registrar  
Assam State Information Commission