

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

Case No. : SIC/KP(M).763/2016
Appellant : Shri Hari Narayan Pathak
Respondent : The SPIO, O/o the Registrar of Co-operative Societies,
Khanapara
Date of hearing : 28.02.2017
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
28.02.2017

Shri Rezzaqul Hussain, ASPIO and Sub-Registrar of Co-operative Societies, Assam is present along with an dealing assistant. They have submitted a Written Statement dated 23.02.2017.

The Appellant, Shri Hari Narayan Pathak is present.

Heard the Appellant. He submitted that he was not satisfied with the written response received from the SPIO through their letter dated 19.09.2014.

Perused the case record. It is seen that the W/S dated 23.02.2017 has been received from the SPIO wherein the action taken to furnish the information has been detailed. The information received by the SPIO from the concerned Joint Registrar of Co-operative Societies (CR), Assam through a letter dated 16.07.2014 had been conveyed to the Appellant through the letter dated 16.09.2014 and the content of the letter was that the copies of the letters sought for by the Appellant could not be furnished as they were not available with them. Further, in response to query no. (d), it was stated that the information could not be furnished for want of specific mention of the information sought for.

The Appellant submitted that the response to query no. (d) was not acceptable as the query was specific and did not suffer from any ambiguity. He further submitted that the reply of that the three letters whose copies he had sought for were not available with the office was not acceptable as it was known to him that the said letters were addressed by the Reserve Bank of India (RBI) to the Registrar of Co-operative Societies, Assam.

The position of the First Appellate Authority/Registrar of Co-operative Societies, Assam has not been represented in today's hearing either in person or through a W/S which was requested for through the Commission's notice. Consequently, the Commission could not determine as to what action has been taken by the FAA, if any, to dispose of the First Appeal dated 11.07.2014.

In view of the facts brought out above, the Commission hereby orders that the SPIO shall review the information furnished and make efforts to locate the said documents and furnish the information/documents to the Appellant, within 21 days of receipt of this order and should the said documents not be traceable, inform the Appellant the outcome of the investigation.

As the information sought under the RTI Act, 2005 could not be furnished so far for want of the documents in his office, the issue of administrative lapse may be got inquired into by the Registrar of Co-operative Societies, Assam so as not only to furnish the information sought for but also to obviate misplacement of official record in the future.

The Second Appeal is hereby disposed of.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Sd/-

Dy. Registrar
Assam State Information Commission

Copy to:

1. The SPIO, O/o the Registrar of Co-operative Societies, Khanapara, Guwahati, Assam for information and necessary action.
2. The First Appellate Authority/ Registrar of Co-operative Societies, Khanapara, Guwahati, Assam for information.
3. Shri Hari Narayan Pathak, Padumpukhuri, 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